



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

26/8/86

अं० ३०]

नई दिल्ली, शनिवार, जुलाई २६, १९८६/श्रावण ४, १९०८

No. 30]

NEW DELHI, SATURDAY, JULY 26, 1986/SRAVANA 4, 1908

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

## भाग II—खण्ड ३—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than  
the Ministry of Defence).

### विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, १० जुलाई, १९८६

सूचना

का. प्रा. २६०६.—नोटरीज नियम, १९५६ के नियम ६ के अनुसरण में  
सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री अशोक कुमार चौहान  
एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम ४ के अधीन एक  
आवेदन इस बात के लिए दिया है कि उसे मुजफ्फरनगर (यू. पी.)  
व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

२. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार  
का आपत्ति इस सूचना के प्रकाशन के चौबीस दिन के भीतर लिखित रूप में  
मेरे पास भेजा जाए।

[सं. ५ (५४)/८५ - न्या. ]

भार. एन. पोद्दार, सक्षम प्राधिकारी

MINISTRY OF LAW & JUSTICE

(Department of Legal Affairs)

New Delhi, the 10th July, 1986

NOTICE

S.O. 2606.—Notice is hereby given by the Competent  
Authority in pursuance of rule 6 of the Notaries Rules,

1956, that application has been made to the said Authority,  
under rule 4 of the said Rules, by Shri Ashok Kumar  
Chauhan, Advocate for appointment as a Notary to practise  
in Muzaffar Nagar, U.P.

2. Any objection to the appointment of the said person as a  
Notary may be submitted in writing to the undersigned  
within fourteen days of the publication of this Notice.

[No. F. 5(54)/85-Judl.]

R. N. PODDAR, Competent Authority

### गृह मंत्रालय

(आन्तरिक सुरक्षा विभाग)

(पुनर्वास प्रभाग)

नई दिल्ली, ३० जून, १९८६

का. आ. २६०७.—विस्थापित व्यक्ति (प्रतिकार तथा पुनर्वास)  
अधिनियम, १९५४ (१९५४ का ४४) की धारा ३ की उपधारा (१) द्वारा  
प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा पुनर्वास  
प्रभाग, आन्तरिक सुरक्षा विभाग, गृह मंत्रालय के संयुक्त सचिव, श्री  
गुरुप्रताप सिंह साहू को १६ जून, १९८६ से उक्त अधिनियम के द्वारा अथवा  
उसके अधीन मुख्य बन्दोबस्त आयुक्त को सौंपे गए कार्यों के निष्पादन हेतु  
मुख्य बन्दोबस्त आयुक्त नियुक्त करती है।

२. इसके द्वारा दिनांक २७ मई, १९८६ की अधिसूचना संख्या -१  
(७/वि. सेल/८६-एस. एस. II (ए) का अतिक्रमण किया जाता है।

[संख्या-१ (७)/वि. सेल/८६-एस. एस. II (ए)]

MINISTRY OF HOME AFFAIRS  
(Department of Internal Security)  
(Rehabilitation Division)

New Delhi, the 30th June, 1986

S.O. 2607.—In exercise of the powers conferred by sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri Gurpratap Singh Sahi, Joint Secretary in the Department of Internal Security (Rehabilitation Division) as Chief Settlement Commissioner for the purpose of performing the functions signed to such Chief Settlement Commissioner by or under the said Act with effect from 16th June, 1986.

2. This supersedes Notification No. 1(7)/Spl. Cell/86-SS. II, (A) dated the 27th May, 1986.

[No. 1(7)/Spl. Cell/86-SS-II (A)]

का. आ. 2608.—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार गृह मंत्रालय आन्तरिक सुरक्षा विभाग, पुनर्वासि प्रभाग में संयुक्त सचिव, श्री गुरप्रताप सिंह साही को 16 जून, 1986 से उक्त अधिनियम के द्वारा अथवा उसके अधीन महाभिरक्षक को सौंपे गए कार्यों के निष्पादन हेतु महाभिरक्षक, निष्क्रान्त सम्पत्ति नियुक्त करती है।

2. इसके द्वारा दिनांक 27 मई, 1986 की अधिसूचना संख्या-1(7) वि० सेल/86-एस०एस० II (बी) का अतिक्रमण किया जाना है।

[संख्या -1(7) वि. सेल/86-एस. एस. II (बी)]

मु. असलम, अवर सचिव

S.O. 2608.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government appoints Shri Gurpratap Singh Sahi Joint Secretary in the Ministry of Home Affairs, Department of Internal Security (Rehabilitation Division) as the Custodian General of Evacuee Property for the purpose of performing functions signed to such Custodian General by or under the said Act with effect from 16th June, 1986.

2. This supersedes Notification No. 1(7)/Spl. Cell/86-SS. II(B), dated the 27th May, 1986.

[No. 1(7)/Spl. Cell/86-SS. II(B)]

M. ASLAM, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 10 जून, 1986

(आयकर)

का. आ. 2609.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, उक्त धारा के प्रयोजनार्थ, "तिरुमाला तिरुपति देवस्थानम्, तिरुपति" को कर-निर्धारण वर्ष 1987-88 से 1989-90 तक के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 6747 (फा. सं. 197/11/86-आ. क.) (नि.-I)]

के. के. त्रिपाठी, उपसचिव

MINISTRY OF FINANCE  
(Department of Revenue)

New Delhi, the 10th June, 1986

(INCOME-TAX)

S.O. 2609.—In exercise of the powers conferred by sub-clause (v) of clause (23 C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby

notifies "Tirumala Tirupati Devasthanams, Tirupati" for the purpose of the said section for the period covered by the assessment years 1987-88 to 1989-90.

[No. 6747/F. No. 197/11/86-IT (AI)]

K. K. TRIPATHI, Dy. Secy.

नई दिल्ली, 20 जून, 1986

का. आ. 2610.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) के अनुसरण में और भारत सरकार, राजस्व विभाग की दिनांक 13-6-85 की अधिसूचना सं. 6265 फा. सं. 398/6/85-आ. क. (ब.) का अधिसूचना करते हुए, केन्द्रीय सरकार एतद्वारा उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए केन्द्रीय सरकार के राजपत्रित अधिकारी श्री डी. जे. पाल को प्राधिकृत करती है।

2. यह आदेश श्री डी. जे. पाल द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण करने की तारीख से लागू होगा।

[सं. 6763 (फा. सं. 398/3/86-आ. क.) (ब.)]

New Delhi, the 20th June, 1986

S.O. 2610.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 6265 (F. No. 398/6/85-IT(B) dated the 13-6-85, the Central Government hereby authorises Shri D. J. Paul, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri D. J. Paul takes over charge as Tax Recovery Officer.

[No. 6763 (F. No. 398/3/86-IT)(B)]

नई दिल्ली, 16 जुलाई, 1986

का. आ. 2611.—आयकर अधिनियम 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (ii-ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त खण्ड के प्रयोजनार्थ हरल इलेक्ट्रिकलेशन कॉर्पोरेशन लि., नई दिल्ली द्वारा जारी "घार. ई. सी.-13वीं श्रृंखला बंध-पत्र" को विनिर्दिष्ट करती है।

[सं. 6813/फा. सं. 275/60/86-आ. क. (ब.)]

New Delhi, the 16th July, 1986

S.O. 2611.—In exercise of the powers conferred by clause (ii) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "REC-13th Series Bonds" issued by the Rural Electrification Corporation Limited, New Delhi, for the purposes of the said clause.

[No. 6813/F. No. 275/60/86-IT(B)]

का. आ. 2612.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (ii-ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खण्ड के प्रयोजनार्थ निवेली लिमिटेड निगम लिमिटेड, निवेली, तमिलनाडु द्वारा जारी "(14% प्रत्याभूत अपरिवर्तनीय बंध-पत्र)" को विनिर्दिष्ट करती है।

[सं. 6814/फा. सं. 275/73/86-आ. क. (ब.)]

S.O. 2612.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "14%—Secured Non-convertible Bonds" issued by the Neyveli Lignite Corporation Limited, Neyveli, Tamil Nadu, for the purposes of the said Clause.

[No. 6814/F. No. 275/73/86-IT (B)]

का. भा. 2613.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (ii-ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खण्ड के प्रयोजनार्थ नेशनल थर्मल पावर कारपोरेशन लिमिटेड, आई. दिल्ली द्वारा जारी "14% प्रत्याभूत विमोच्य एन. टी. पी. सी. बंध.-पत्र 1986, प्रथम श्रृंखला" को विनिर्दिष्ट करती है।

[सं. 6811/फा. सं. 275/37/86-आ. क. (ब.)]

S.O. 2613.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "14% Secured Redeemable N.T.P.C. Bonds—1986, First Series" issued by the National Thermal Power Corporation Ltd., New Delhi, for the purposes of the said clause.

[No. 6811/F. No. 275/37/86-IT (B)]

का. भा. 2614.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (ii-ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खण्ड के प्रयोजनार्थ इंडियन टेलिफोन इण्डस्ट्रीज लिमिटेड, बंगलूर द्वारा जारी "14% प्रत्याभूत विमोच्य अपरिवर्तनीय बंध-पत्र 1986, "क" श्रृंखला" को विनिर्दिष्ट करती है।

[सं. 6812/फा. सं. 275/54/86-आ. क. (ब.)]

का. नागराजन, उप सचिव

S.O. 2614.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "14% Secured Redeemable Non-convertible Bonds—1986, 'A' Series" issued by the Indian Telephone Industries Limited, Bangalore, for the purposes of the said clause.

[No. 6812/F. No. 275/54/86-IT (B)]

B. NAGARAJAN Dy. Secy.

आई दिल्ली, 8 जुलाई, 1986

आदेश

स्टाम्प

का. भा. 2615.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा गुजरात औद्योगिक विकास निगम, महमदाबाद को मात्र दो लाख सत्ताईस हजार दो सौ पचास रुपये के उस समेकिन स्टाम्प शुल्क को अदायगी करने की अनुमति प्रदान करती है,

जो उक्त निगम द्वारा जारी किए जाने वाले तीन करोड़ तीन लाख रुपये के अधिकृत मूल्य के ऋणपत्रों के स्वरूप के 91/2- गुजरात औद्योगिक विकास बंधपत्र, 1998 श्रृंखला पर स्टाम्प शुल्क के कारण प्रभाव है।

[संख्या 27/86-स्टाम्प-फा. सं. 33/33/86 - बि. क.]

New Delhi, the 8th July, 1986

ORDER

STAMPS

S.O. 2615.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the Gujarat Industrial Development Corporation, Ahmedabad to pay consolidated stamp duty of Rupees two lakhs, twenty seven thousand two hundred and fifty only, chargeable on account of the stamp duty on 9-3/4 per cent G.I.D. Bonds 1998 series in the form of debentures of the face value of Three crores and three lakhs of rupees to be issued by the said Corporation.

[No. 27/86-Stamp/F. No. 33/33/86-ST]

आदेश

स्टाम्प

का. भा. 2616.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है, जो हरियाणा वित्त निगम, चंडीगढ़ द्वारा जारी किए जाने वाले मात्र दो करोड़ सैतालीस लाख पचास हजार रुपये के मूल्य के प्राक्सरी नोटों (24वीं श्रृंखला) के स्वरूप के बंधपत्रों पर उक्त अधिनियम के अंतर्गत प्रभाव है।

[संख्या 28/86 - स्टाम्प-फा. सं. 33/36/86 - बि. क.]

बी. भार. मेहमी, उप सचिव

ORDER

STAMPS

S.O. 2616.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes (24th series) to the value of Two crores forty seven lakhs and fifty thousand rupees only to be issued by the Haryana Financial Corporation, Chandigarh are chargeable under the said Act.

[No. 28/86-Stamp/F. No. 33/36/86-ST]

B. R. MEHMI, Under Secy.

आई दिल्ली, 9 जुलाई, 1986

का. भा. 2617.—राष्ट्रपति, केन्द्रीय सिविल सेवा (बर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 34 के साथ पठित नियम 9 के उप-नियम (2), नियम 12 के उप-नियम (2) के खंड (क) और नियम 24 के उप-नियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के वित्त मंत्रालय (राजस्व विभाग) की अधिसूचना सं. का. नि. आ. सं. 812, तारीख 28 फरवरी, 1957 में निम्नलिखित और संशोधन करते हैं, अर्थात् :—

उक्त अधिसूचना की अनुसूची में, भाग 2, साधारण केन्द्रीय सेवा, वर्ग-3 में,

“केन्द्रीय उत्पाद-शुल्क विभाग” शीर्ष के अधीन, शीर्षक “निवारक परिचालन निदेशालय (सीमाशुल्क और केन्द्रीय उत्पाद-शुल्क)” के अधीन प्रविष्टियों के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात्:—					(1)	(2)	(3)	4	5
(1)	(2)	(3)	(4)	(5)	सचिवीय और अननुसन्धित पत्र (जिनके प्रतिलिपि तुरन्त संचार पत्र भी हैं)				
“केन्द्रीय उत्पाद शुल्क कलक्टर या सीमाशुल्क सदनों की प्राधिकृत पत्र संचार पर भूत सभी तुरन्त संचार समूह “ग” पत्र	उप-कलक्टर (कामिक और स्थापन का भार-साधक)	(क) उप-कलक्टर (कामिक और स्थापन का भार-साधक) (ख) सहायक निदेशक (संचार), उन व्यक्ति-यों की बाबत जो उसके अधीन सेवा कर रहे हैं	सभी (i) से (iv) तक	कलक्टर	[फा. सं. सी-11016/20/85-एड, 5] विजय मिह, अवर सचिव				
निवारक परिचालन निदेशालय की प्राधिकृत पत्र सं. पर भूत सभी अनु-	उप-निदेशक (संचार) निवारक परिचालन निदेशालय	उप-निदेशक (संचार)	सभी	निदेशक (निवारक परिचालन)	टिप्पणी:—का. नि. आ. 612, दिनांक 28-2-1957 को संशोधित करते हुए निम्नलिखित अधिसूचनाएँ जारी की गई हैं।				
					क. सं.	दिनांक			
					1. का. नि. आ.	1462	26-7-1958		
					2. का. आ.	1802	6-9-1958		
					3. का. आ.	105	1-1-1964		
					4. का. आ.	3368	19-9-1964		
					5. का. आ.	764	12-3-1966		
					6. का. आ.	705	4-3-1967		
					7. का. आ.	704	4-3-1967		
					8. का. नि. आ.	662	19-1-1972		
					9. का. नि. आ.	2594	17-6-1972		
					10. का. नि. आ.	2797	25-8-1977		
					11. का. नि. आ.	93	8-1-1982		
					12. का. नि. आ.	2048	7-5-1983		
					13. का. नि. आ.	3457	15-7-1985		

New Delhi, the 9th July, 1986

S.O. 2617.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub rule (1) of rule 24, read with rule 34 of the Central Civil Services (Classification, Control and Appeal) Rules 1965, the President hereby makes the following further amendments in the Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. S.R.O. No. 612, dated the 28th February, 1957, namely:—

In the Schedule to the said notification,

In Part-II-General Central Service, Class III, under the heading “Central Excise Department”, for the entries under the heading “Directorate of Preventive Operations (Customs and Central Excise)”, the following shall be substituted, namely:—

1	2	3	4	5
“All telecommunication group ‘C’ posts borne on the strength of the Collectors of Central Excise or Customs Houses.	Deputy Collector (incharge of Personnel and Establishment)	(a) Deputy Collector (in charge of Personnel and Establishment)	All	Collector
		(b) Assistant Director (Communication) in respect of persons serving under him.	(i) to (iv)	Collector

1	2	3	4	5
All ministerial and non-ministerial (including tele-communication) posts borne on strength of Directorate of Preventive Operations.	Deputy Director (Communication) in the Directorate of Preventive Operations.	Deputy Director (Communication)	All	Director (Preventive Operations)"

[F. No. C-110] 6/20/86. Ad. V]  
VIJAY SINGH, Under Secy.

Note : The following notifications have been issued amending S.R.O. 612 dated 28-2-1957

S.No.	Date
1. S.R.O.	1462
2. S.O.	1802
3. S.O.	105
4. S.O.	3368
5. S.O.	764
6. S.O.	705
7. S.O.	704
8. S.R.O.	662
9. S.R.O.	2594
10. S.R.O.	2797
11. S.R.O.	93
12. S.R.O.	2048
13. S.R.O.	3457
	26-7-1958
	6-9-1958
	1-1-1964
	19-9-1964
	12-3-1966
	4-3-1967
	4-3-1967
	19-1-1972
	17-6-1972
	25-8-1977
	8-1-1982
	7-5-1983
	15-7-1985

(आर्थिक कार्य विभाग)

नई दिल्ली, 8 जुलाई, 1986

का. आ. 2618.—केंद्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में वित्त मंत्रालय (आर्थिक कार्य विभाग) के प्रशासनिक नियंत्रण में स्थित भारतीय जीवन बीमा निगम के निम्नलिखित कार्यालयों को जिनके कर्मचारीगण ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

भारतीय जीवन बीमा निगम

1. मण्डल कार्यालय, बम्बई
2. शाखा कार्यालय, बम्बई
1. 91.ए, योगक्षेम, बम्बई
2. 91.बी, योगक्षेम, बम्बई
3. 91.सी, सांताक्रुज, बम्बई
4. 91.डी, सांताक्रुज, बम्बई
5. 91.ई, वास्को, बम्बई
6. 91.एफ, बापुसा, बम्बई
7. 91.जी, डोबिवली, बम्बई
8. 91.एच, महाड, बम्बई
9. 91.जे, थाना, बम्बई
10. 91.के, मारगांव, बम्बई
11. 91.एम, भिवंडी, बम्बई
12. 91.एन, वसई, बम्बई
13. 880, जीवन बिहार बम्बई
14. 881, फोर्ट, बम्बई
15. 882, फोर्ट, बम्बई

16. 883, योगक्षेम, बम्बई
17. 884, फोर्ट, बम्बई
18. 885 फोर्ट, बम्बई
19. 886, फोर्ट, बम्बई
20. 887, सांताक्रुज, बम्बई
21. 888, गोरेगांव, बम्बई
22. 889, विक्कोली, बम्बई
23. 890, मलाड, बम्बई
24. 891, कौविजली, बम्बई
25. 892, कुर्ली, बम्बई
26. 893, सांताक्रुज, बम्बई
27. 894, मुलुंड, बम्बई
28. 895, आदर्श शाला (युनाईटेड इंडिया), बम्बई
29. 896, वाघर, बम्बई
30. 897, वाघर, बम्बई
31. 898, अपोलो स्ट्रीट, बम्बई
32. 899, अपोलो स्ट्रीट, बम्बई
33. 900/918 बाम्बे म्युचुअल ट्रेडर्स, बम्बई
34. 901, नरीमन स्ट्रीट, बम्बई
35. 902, बेलाई इस्टेट, बम्बई
36. 903, दावर, टी. टी., बम्बई
37. 904, योगक्षेम, बम्बई
38. 905, गुलेस्तान, बम्बई
39. 906, ग्रेगम हाऊस, बम्बई
40. 907, अपोलो स्ट्रीट, बम्बई
41. 908, बाम्बे म्यु. ट्रेडर्स, बम्बई
42. 909, बाम्बे म्यु. ट्रेडर्स, बम्बई
43. 911, चर्चगेट, बम्बई

44. 912/989, वेलाई एस्टेट, बम्बई
45. 913, फोर्ट, बम्बई
46. 914, फोर्ट, बम्बई
47. 915/930, फोर्ट, बम्बई
48. 916, फोर्ट, बम्बई
49. 917, उल्लास नगर, बम्बई
50. 919, जीवन केन्द्र, बम्बई
51. 921, फोर्ट, बम्बई
52. 922, फोर्ट, बम्बई
53. 923, फोर्ट, बम्बई
54. 924, अंधेरी बम्बई
55. 925, फोर्ट, बम्बई
56. 926, बम्बई बम्बई
57. 927, जीवन उद्योग, बम्बई
58. 928, घाट गोपर, बम्बई
59. 929, बाम्बे म्यु. टेरेस, बम्बई
60. 931/981 जीवन केन्द्र, बम्बई
61. 932, बहाणू, बम्बई
62. 933, थाने, बम्बई
63. 934, कल्याण, बम्बई
64. 935, बोरिवली बम्बई
65. 936, पेण, बम्बई
66. 937, दादर (पूर्व) बम्बई
67. 938, दादर (पश्चिम), बम्बई
68. 939, पंजिम, बम्बई
69. 998, पंजिम, बम्बई
70. 999, मरगांव, बम्बई

[सं. 11011/51/85—हि. का. क.]

पी. वी. मिश्र, उप सचिव

(Department of Economic Affairs)

New Delhi, the 8th July, 1986

S.O. 2618.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 the Central Government hereby notified the following offices of the Life Insurance Corporation of India (under the administrative control of the Ministry of Finance, Department of Economic Affairs) the Staff whereof have acquired working knowledge of Hindi :—

Life Insurance Corporation of India :

I. Divisional Office, Bombay.

II. Regional Office Bombay.

1. 91, A Yogakshama, Bombay.
2. 91, B Yogakshama, Bombay.
3. 91, C Santacruz, Bombay.
4. 91, D Santacruz, Bombay.
5. 91, E Vasko, Bombay.
6. 91, F Mapusa, Bombay.
7. 91, G Dobivali, Bombay.
8. 91, H Mahat, Bombay.
9. 91, J Thana, Bombay.
10. 91, K Maargon, Bombay.
11. 91, M Bhiwandi, Bombay.
12. 91, N Vasai, Bombay.
13. 880, Jeevan Vihar, Bombay.
14. 881, Fort Bombay.
15. 882, Fort Bombay.
16. 883, Yogakshema, Bombay.
17. 884, Fort, Bombay.
18. 885, Fort, Bombay.
19. 886, Fort, Bombay.

20. 887, Santacruz, Bombay.
21. 88, Goragoan, Bombay
22. 889, Vikrauli, Bombay.
23. 890, Malad, Bombay.
24. 891, Kandiwal, Bombay.
25. 892, Kurla, Bombay.
26. 893, Santacruz, Bombay.
27. 894, Mulund, Bombay.
28. 895, Adarsh Shala, (United India) Bombay.
29. 896, Dadar, Bombay.
30. 897, Dadar, Bombay.
31. 898, Apolo Street, Bombay.
32. 899, Apolo Street, Bombay.
33. 900/918, Bombay Meetul Teresh, Bombay.
34. 901, Nariman Street, Bombay.
35. 902, Belard, Estate, Bombay.
36. 903, Dadar T.T., Bombay.
37. 904 Yogakshama, Bombay.
38. 905, Gulestan, Bombay.
39. 906. Gresham House, Bombay.
40. 907, Apolo Street, Bombay.
41. 908, Bombay M. Teras, Bombay.
42. 909, Bombay M. Teras, Bombay.
43. 911, Charch Gate, Bombay.
44. 912/989, Velard Estate, Bombay.
45. 913, Fort, Bombay.
46. 914, Fort, Bombay.
47. 915/930, Fort Bombay
48. 916, Fort Bombay.
49. 917, Ullas Nagar, Bombay
50. 919, Jeevan Kendra, Bombay
51. 921, Fort, Bombay.
52. 922 Fort, Bombay.
53. 923 Fort, Bombay.
54. 924, Andheri, Bombay
55. 925, Fort, Bombay.
56. 926, Bandra, Bombay.
57. 927. Jeevan Udhya, Bombay.
58. 928, Ghat Gopar, Bombay.
59. 929, Bombay M. Teras, Bombay.
60. 931/981, Jeevan Kendra, Bombay.
61. 932, Dahanu, Bombay.
62. 933, Thane, Bombay.
63. 934, Kalyan, Bombay
64. 935, Borivali, Bombay
65. 936, Pena, Bombay.
66. 937, Dadar, (East) Bombay.
67. 938, Dadar, (West) Bombay
68. 939, Chamber, Bombay.
69. 998, Punjim, Bombay.
70. 999, Margoan, Bombay.

[No. F. 11011/51/85-HIC]

P.V. BHIDE, Dy. Secy.

(वैकिक प्रमाण)

नई दिल्ली, 4 जुलाई, 1986

का. मा. 619.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारतीय रिजर्व बैंक की सिफारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबंध बैंक प्राकृष्टिया की करण एक्टरप्राइजेज प्रा. लि. में सेवर धारिता के संबंध में 28 मई, 1988 तक की प्रागे बढ़ाई गई घबधि के लिए लागू नहीं होंगे।

[संख्या 15/11/84 - बी. प्रो. - III]

एडम. एस. सीतारामन, धवर सचिव

## (Banking Division)

## प्रस्ताव

New Delhi, the 4th July, 1986

S.O. 2619.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not apply to Bank of India for a further period upto 28th May, 1988 in so far as they relate to its holding of the shares in the Karan Enterprises Pvt. Ltd.

[No. 15/11/84-BO.III]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 8 जुलाई, 1986

का.प्र. 2620.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) योजना, 1970 की धारा 3 की उपधारा (ज) के अनुसरण में केन्द्रीय सरकार वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) नई दिल्ली के निदेशक श्री एम.एस. हसूरकर को एतद्वारा श्री अजय कुमार अग्रवाल के स्थान पर यूनियन बैंक आफ इंडिया के निदेशक के रूप में नियुक्त करता है।

[सं० एक. 9/7/86-बी.ओ.]

ज.वा. मीरचन्दानी, निदेशक

New Delhi, the 8th July, 1986

S.O. 2620.—In pursuance of sub-clause (h) of clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri S. S. Hasurkar, Director, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi as a Director of Union Bank of India vice Shri A. K. Agarwal.

[No. F. 9/7/86-BO. I]

C. W. MIRCHANDANI, Director

## बाणिज्य मंत्रालय

नई दिल्ली, 26 जुलाई, 1986

## आदेश

का.प्र. 2621.—केन्द्रीय सरकार की यह राय है कि निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक और समीचीन है कि सार्इकिल टायरों/तथा सार्इकिल ट्यूबों का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाए ;

और केन्द्रीय सरकार ने उक्त प्रयोजन के लिए नीचे विनिर्दिष्ट प्रस्ताव बनाए हैं और उन्हें निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उप-नियम (2) को अपेक्षानुसार निर्यात निरीक्षण परिषद् को भेज दिया है ;

अतः, अब, उक्त उप नियम के अनुसरण में केन्द्रीय सरकार उक्त प्रस्तावों को उक्त लोगों की जानकारी के लिए प्रकाशित करती है, जिनके उनसे प्रभावित होने की संभावना है।

2. सूचना दी जाती है कि यदि कोई व्यक्ति उक्त प्रस्ताव के बारे में कोई आपत्ति या सुझाव देना चाहता है तो वह उसे इस आक्षेप के राजपत्र में प्रकाशित होने की तारीख से पैंतालीस दिनों के भीतर भारतीय निर्यात निरीक्षण परिषद् (बाणिज्य मंत्रालय, भारत सरकार) 11 बी मंजिल, 26, राजेन्द्र प्लेस, नयी दिल्ली 110008 को भेज सकता है।

(1) अधिसूचित करती है कि सार्इकिल टायरों और सार्इकिल ट्यूबों का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाएगा ;

(2) राष्ट्रीय तथा अन्तरराष्ट्रीय मानकों तथा निर्यात निरीक्षण परिषद् द्वारा मान्यता प्राप्त अन्य निष्कर्षों के मानकों और सार्इकिल टायरों तथा सार्इकिल ट्यूबों के लिए मानक विनिर्देशों के संदर्भ में आदेश के परिशिष्ट में विनिर्दिष्ट न्यूनतम विशेषताओं की संतुष्टि करने वालों उत्पाद के अधीन संबिदात्मक विनिर्देशों को भी मान्यता देती है।

टिप्पण: (i) अब निर्यात संविदा, एगोरेवार तकनीकी आवश्यकताओं को दर्शाते नहीं करती है या केवल नमूनों पर ही आधारित होती है तो निर्यातकर्ता को सिद्धित निर्देश देने चाहिए।

(ii) परीक्षण की पद्धति राष्ट्रीय मानक के अनुसार होगी।

(3) इस आदेश के उपाबंध में दिए गए सार्इकिल टायरों और सार्इकिल ट्यूबों के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1986 के प्रारूप के अनुसार क्वालिटी नियंत्रण और निरीक्षण के प्रकार को क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करना जो निर्यात से पूर्व सार्इकिल टायरों और सार्इकिल ट्यूबों को लागू होगा ;

(4) अन्तरराष्ट्रीय व्यापार के दौरान ऐसे सार्इकिल टायरों और ट्यूबों के निर्यात को तब तक प्रतिषिद्ध करती है जब तक कि उसके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त किसी अधि-करण द्वारा जारी किया गया इस आदेश का निरीक्षण प्रमाण-पत्र न हो कि ऐसे सार्इकिल टायर और ट्यूब मानक विनिर्देशों के अनुरूप हैं तथा निर्यात योग्य हैं या उन पर उक्त अधिनियम की धारा 8 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त सील या चिन्ह चिपका हुआ है।

2. इस आदेश की कोई भी बात भावी क़ेताओं को भूमि, समुद्री या वायु मार्ग द्वारा, सार्इकिल टायर और ट्यूब के ऐसे नमूनों के निर्यात को लागू नहीं होगी जिनका वीट पर्यन्त निःशुल्क मूल्य 250 रुपए से अधिक न हो।

इस आदेश में —

(1) "परिशिष्ट" से इस आदेश का परिशिष्ट अभिप्रेत है।

(2) "सार्इकिल टायरों" से सार्इकिल और रिक्शा में प्रयोग होने वाले टायर अभिप्रेत है जिसमें दो स्टील बीड बायर, बीड रिंग तथा उपयुक्त मिश्रित रबर की धारियों सहित रबर की कोई फेब्रिक केसिंग होती है।

(3) "सार्इकिल ट्यूबों" से रिक्शा तथा सार्इकिलों में प्रयोग के लिए बनायी गई रबर का ट्यूब अभिप्रेत है और उसमें उपयुक्त मिश्रित तथा बलकनित किया गया प्राकृतिक और/या कृत्रिम रबर होगा।

## परिशिष्ट

(प्रस्ताव का पैरा (2) देखें)

1. ग्रेड—I तथा II के लिए सार्इकिल टायरों का प्रत्येक विनिर्माता सार्इकिल टायरों के लिए निम्नलिखित न्यूनतम विनिर्देशों का पालन करेगा।

क. सार्इकिल टायर वर्ग I रिक्शा के लिए मजनी क्षमता

1. फिनिश तथा कारीगरी :—सार्इकिल टायरों की अच्छी फिनिश होगी तथा चाक्षुष अपूर्णता से मुक्त होगी।

2. विमाण :—सार्इकिल टायरों की विमाण/आकार बिदेशी क़ेता तथा निर्यातकर्ता के मध्य हुए करार के अनुसार होगी।

3. क़ेसिंग मजबूती :—सामग्री की क़ेसिंग मजबूती 25 प्रति मि. मीटर चौड़ाई पर 170 किलोग्राम से कम नहीं होगी।

4. बीड बायरों का टूटन भार :—जब किसी भी केन्द्र पर बीड बायरों के जोड़ सहित परीक्षण किया जाए तो एकदरे या बहुत गुणवत्तियों का

समायोजन करते हुए प्रत्येक बीड बायर का न्यूनतम टूटन भार 300 किलोग्राम होगा।

5. स्वरित अवस्था :—रबड़ मिश्रण के टूटने पर तनन सामर्थ्य तथा दीर्घीकरण वायु ओवन में 72 घंटों के लिए  $70^{\circ} \pm 1^{\circ}$  सी पर काल प्रभावण के पश्चात् वास्तविक मूल्य से +10 प्रतिशत से अधिक भिन्न नहीं होगी। —15

6. अन्य अपेक्षाएं :—निम्नलिखित के बारे में सार्ईकिल टायर सुसंगत भारतीय मानक विनिर्देशों की अपेक्षाओं के अनुरूप होंगे :—

1. संरचना
2. शिखर मोटाई
3. रबड़ मिश्रण की तनन सामर्थ्य
4. रबड़ मिश्रण के टूटन पर दीर्घीकरण

ख. सार्ईकिल टायर वर्ग-II सार्ईकिलों के लिए हल्का भार

1. फिनिश तथा कारीगरी :—सार्ईकिल टायर की फिनिश अच्छी होगी तथा चाक्षुष अपूर्णता से मुक्त होंगे।

2. विमाएं :—सार्ईकिल टायर की विमाएं/आकार विदेशी जेता और निर्यातकर्ता के मध्य हुए करार के अनुसार होंगी।

3. स्वरित अवस्था :—रबड़ मिश्रण के टूटन पर तनन सामर्थ्य और दीर्घीकरण वायु ओवन में 72 घंटों के लिए  $70^{\circ} \pm 1^{\circ}$  सेंटीग्रेड पर काल प्रभावण के पश्चात् वास्तविक मूल्य से +10 प्रतिशत से अधिक भिन्न नहीं होगी। —15

4. अन्य अपेक्षाएं :—निम्नलिखित के संदर्भ में सार्ईकिल टायर सुसंगत भारतीय मानक विनिर्देशों की अपेक्षाओं के अनुरूप होंगे।

1. संरचना
2. शिखर मोटाई
3. केंद्रित क्षमता
4. बीड बायर का टूटन भार
5. रबड़ सम्मिश्रण का तनन सामर्थ्य
6. रबड़ सम्मिश्रण के टूटन पर दीर्घीकरण

2. सार्ईकिल ट्यूबों का प्रत्येक विनिर्माता सार्ईकिल ट्यूबों के लिए निम्नलिखित न्यूनतम विनिर्देशों का पालन सुनिश्चित करेगा :

1. संरचना :—सार्ईकिल ट्यूबें प्राकृतिक या कृत्रिम या उपयुक्त रूप से मिश्रित तथा बल्कनित रबड़ों के मिश्रण से विनिर्मित की जाएंगी।

2. फिनिश तथा कारीगरी :—सार्ईकिल ट्यूबों की फिनिश अच्छी होगी तथा चाक्षुष दोषों से मुक्त होगी।

3. विमाएं :—सार्ईकिल ट्यूबों की विमाएं/विदेशी जेता एवं निर्यातकर्ता के मध्य हुए करार के अनुसार होंगी।

4. स्वरित अवस्था :—रबड़ मिश्रण के टूटन पर तनन सामर्थ्य और दीर्घीकरण वायु ओवन में 72 घंटों के लिए  $70^{\circ} \pm 1^{\circ}$  सेंटीग्रेड पर काल प्रभावण के पश्चात् वास्तविक मूल्य से +10 प्रतिशत से अधिक भिन्न नहीं होगी। —15

(5) अन्य अपेक्षाएं :—सार्ईकिल ट्यूबें निम्नलिखित के संबंध में सुसंगत भारतीय मानक विनिर्देशों की अपेक्षाओं के अनुरूप होंगी :—

- (1) तनन मजबूती
- (2) टूटन पर दीर्घीकरण
- (3) संयुक्त आसंजन मजबूती
- (4) लीक परीक्षण

उपानंद

[प्रस्ताव का पैरा (3) देखें]

(निर्यात) (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 केन्द्रीय अधिनियम (1963 का 22) की धारा 17 की उपधारा (2) के खण्ड (घ) के अधीन बनाए जाने वाले प्रस्तावित नियमों का आरूपः—

1. संक्षिप्त नाम तथा प्रारम्भ : (1) इन नियमों का संक्षिप्त नाम सार्ईकिल टायरों तथा सार्ईकिल ट्यूबों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषा :—इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो :

(क) "अधिनियम" से निर्यात (क्वालिटी नियंत्रण और निरीक्षण अधिनियम, 1963) (1963 का 22) अभिप्रेत है ;

(ख) "अभिकरण" से अधिनियम की धारा 7 के अधीन बम्बई कोषिम, कलकत्ता दिल्ली तथा मद्रास में स्थापित अभिकरणों में से कोई एक अभिकरण अभिप्रेत है ;

(ग) "सार्ईकिल टायरों" से ऐसे टायर अभिप्रेत हैं जो सार्ईकिल ब रिकशा में प्रयोग होते हैं और जिनमें दो हस्तात बीड बायर, बीड रिंग तथा उपयुक्त मिश्रित रबड़ की धारियों सहित रबड़ की कोई फेब्रिक केसिंग होती है।

(घ) "सार्ईकिल ट्यूबों" से रिकशा तथा साइकिलों में प्रयोग के लिए बनी रबड़ की ट्यूब अभिप्रेत है और उपयुक्त रूप से मिश्रित तथा बल्कनित प्राकृतिक या संश्लिष्ट रबड़ से बनी होगी।

(ङ) "परिषद्" से अधिनियम की धारा 3 के अधीन स्थापित निर्यात निरीक्षण परिषद् अभिप्रेत है ;

(च) "अनुसूची" से इन नियमों से संलग्न अनुसूची अभिप्रेत है।

3. निरीक्षण का आधार :—निर्यात के लिए आशयित सार्ईकिल टायर तथा ट्यूबों का निरीक्षण यह सुनिश्चित करने की दृष्टि से किया जाएगा कि सार्ईकिल टायर तथा सार्ईकिल ट्यूबों का परेषण निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त मानक विनिर्देशों के अनुरूप है—

(क) यह सुनिश्चित करने हुए कि उद्देश्य का विनिर्माण अनुसूची-1 में विनिर्दिष्ट के अनुसार अनिवार्य क्वालिटी नियंत्रणों का प्रयोग करने हुए किया गया है ;

या

(ख) अनुसूची-III में विनिर्दिष्ट ढूं से किए गए निरीक्षण तथा परीक्षण के आधार पर।

4. निरीक्षण की प्रक्रिया :—(1) सार्ईकिल टायरों तथा सार्ईकिल ट्यूबों के परेषण का निर्यात करने या इच्छुक निर्यातकर्ता निर्यात संक्रिया या आदेश की प्रति के साथ भविष्यत्क विनिर्देशों का निरीक्षण देते हुए, अभिकरण को लिखित रूप से सूचना देना ताकि अभिकरण नियम 3 के अनुसार निरीक्षण कर सके।

(2) निर्यात के लिए सार्ईकिल टायरों तथा सार्ईकिल ट्यूबों का विनिर्माण अनुसूची-1 में अतिरिक्त उपयोग के दौरान वर्गीकृत क्वालिटी नियंत्रणों का प्रयोग करने हुए किया गया है और इन प्रयोजन के लिए परिषद् या अभिकरण द्वारा अतिरिक्त विशेषज्ञों के दैनिक परिषद् द्वारा यह ध्याय निर्दिष्ट करने पर कि विनिर्माण एकक में उत्पाद के दौरान अर्थात् क्वालिटी नियंत्रण के लिए निर्यातकर्ता को नियम (2) में उल्लिखित सूचना के साथ सूचना देना ताकि निर्यात के लिए आशयित सार्ईकिल टायरों तथा सार्ईकिल ट्यूबों के परेषण का विनिर्माण अनुसूची-1 में अधिकृतित अर्थात् क्वालिटी नियंत्रणों का प्रयोग करने हुए किया गया है और परेषण इन प्रयोजन के लिए मानक मानक विनिर्देशों के अनुरूप है।

(3) निर्यातकर्ता अभिकरण को निर्यात किए जाने वाले परेषण पर लगाए जाने वाले पहचान चिह्न भी प्रस्तुत करेगा।



(4) उप-नियम (1) के अधीन प्रत्येक सूचना विनिर्माता के परिसर से परेण के भेजे जाने से कम से कम सात दिन पूर्व दी जाएगी जब कि उप नियम (2) के अधीन घोषणा सहित सूचना विनिर्माता के परिसर से परेण के भेजे जाने से कम से कम तीन दिन पूर्व दी जाएगी।

(5) उप नियम (1) के अधीन सूचना तथा उप नियम (2) के अधीन घोषणा यदि कोई है के प्राप्त होने पर अभिकरण—

अपना यह समाधान कर लेने पर कि विनिर्माण कर प्रक्रिया के दौरान विनिर्माता ने अनुसूची I में अधिकृत पर्याप्त क्वालिटी नियंत्रण का प्रयोग किया है तथा इस प्रयोजन के लिए माध्य मानक विनिर्देशों के अनुरूप उत्पाद का विनिर्माण करने के संबंध में परिषद अभिकरण द्वारा जारी किये गए निर्देशों यदि कोई है, का पालन किया गया है, तीन दिन के भीतर यह घोषणा करते हुए प्रमाणपत्र जारी करेगा कि सार्वकिल टायरों तथा सार्वकिल ट्यूबों का परेण निर्यात योग्य है। ऐसे मामलों में जहाँ विनिर्माता निर्यातकर्ता नहीं है, तथापि परेण का भौतिक स्थापन किया जाएगा तथा ऐसा उत्पादन तथा निरीक्षण जैसा आवश्यक हो अभिकरण द्वारा यह सुनिश्चित करने के लिए किया जाएगा कि उपरोक्त शर्तों का पालन किया गया है। तथापि अभिकरण निर्यात के लिए आशयित कुछ परेणों की स्थल पर ही जांच करेगा तथा यूनिटों द्वारा क्वालिटी नियंत्रण इकाइयों की पर्याप्तता के रख रखाव का स्थापन करने के लिए नियमित अंतरालों पर एककों में जाएगा। यदि यह पाया जाता है कि विनिर्माण एकक ने परिषद या अभिकरण के अधिकारियों की सिकरिश पर विनिर्माण के किसी भी स्तर पर अपेक्षित क्वालिटी नियंत्रण परिणामों को नहीं अपनाया है तो यह घोषित किया जाएगा कि एकक के पास उत्पादन के दौरान पर्याप्त क्वालिटी नियंत्रण इकाइयों नहीं हैं। ऐसे मामलों में एकक उनके द्वारा अपनाए गए उत्पादन के दौरान क्वालिटी नियंत्रण इकाइयों की पर्याप्तता के अनुमोदन के लिए पुनः आबेदन करेगा।

(ख) ऐसे मामलों में जहाँ निर्यातकर्ता ने उपनियम (2) के अधीन यह घोषित नहीं किया है कि अनुसूची I में अधिकृत पर्याप्त क्वालिटी नियंत्रण का प्रयोग किया गया है, अपना यह समाधान कर लेने पर कि सार्वकिल टायरों और ट्यूबों का परेण इस प्रयोजन के लिए माध्यता प्राप्त मानक विनिर्देशों के अनुरूप है, अनुसूची III के अधिकृत के अनुसार किए गए निरीक्षण या परीक्षण के आधार पर या दोनों के आधार पर, ऐसे निरीक्षण करने के सात दिन के भीतर यह घोषित करते हुए प्रमाण पत्र जारी करेगा कि सार्वकिल टायर और सार्वकिल ट्यूबों निर्यात योग्य हैं:

परन्तु जहाँ अभिकरण का ऐसा समाधान नहीं होता है वहाँ यह सार्वकिल टायरों तथा सार्वकिल ट्यूबों के परेण को निर्यात योग्य घोषित करने के लिए निर्यातकर्ता को प्रमाण-पत्र जारी करने से इंकार करेगा और ऐसे इंकार की सूचना उसके कारणों सहित निर्यातकर्ता को सात दिन के भीतर देगा।

(6) ऐसे मामलों में, जहाँ विनिर्माता निर्यातकर्ता नहीं है या उप नियम (5) (ख) के अधीन परेण का निरीक्षण किया जाता है या दोनों मामलों में, निरीक्षण की समाप्ति के तुरन्त पश्चात अभिकरण परेण में पैकजों को इस ढंग से मुहरबंद करेगा कि यह सुनिश्चित हो जाए कि मुहरबंद पैकजों में फेर बदल न की जा सके। परेण की अस्वीकृति की दशा में, यदि निर्यातकर्ता ऐसा चाहे तो परेण अभिकरण द्वारा मुहरबंद नहीं होगा। परन्तु ऐसे मामलों में निर्यातकर्ता अस्वीकृति के विरुद्ध अपील करने का हकदार नहीं होगा।

5. माध्य चिन्ह लगाना और उसकी प्रक्रिया :—भारतीय मानक संस्थान (प्रमाणन चिन्ह) अधिनियम, 1952 (1952 का 36) भारतीय मानक संस्थान (प्रमाणन चिन्ह) नियम, 1955 तथा भारतीय मानक संस्थान (प्रमाणन चिन्ह) विनियम, 1955 के उपबंध सार्वकिल टायरों और सार्वकिल ट्यूबों पर माध्य चिन्ह या सील लगाने की प्रक्रिया के संबंध में यथा संभव लागू होंगे।

6. निरीक्षण का स्थान :—इन नियमों के अधीन प्रत्येक निरीक्षण या तो—

(क) ऐसे उत्पाद के विनिर्माता के परिसर पर किया जाएगा;

या

(ख) उस परिसर पर किया जाएगा जहाँ निर्यातकर्ता द्वारा माध्य प्रस्तुत किया जाता है परन्तु वहाँ निरीक्षण के लिए पर्याप्त सुविधाएं विद्यमान हों।

7. निरीक्षण फीम:— निर्यातकर्ता द्वारा अभिकरण को निम्नानुसार फीस दी जाएगी :—

(1) (क) उत्पादन के दौरान क्वालिटी नियंत्रण योजना के अधीन निर्यात करने के लिए न्यूनतम 20 रुपये प्रति परेण के अधीन रहते हुए, पोत पर्यन्त निःशुल्क मूल्य के 0.2 प्रतिशत की दर से :

(ख) परेणानुसार निरीक्षण के अधीन निर्यात करने के लिए न्यूनतम 20 रुपये प्रति परेण के अधीन रहते हुए पोत पर्यन्त निःशुल्क मूल्य के 0.4 प्रतिशत की दर से।

8. "अपील:— (1) नियम 4 के उपनियम (5) के अधीन अभिकरण द्वारा प्रमाण-पत्र देने से इंकार किए जाने से व्यथित कोई व्यक्ति ऐसे इंकार की सूचना प्राप्त होने के दस दिन के भीतर केन्द्रीय सरकार द्वारा इस प्रयोजन के लिए गठित विशेषज्ञों के पैनल को, जिसमें कम से कम तीन और अधिक से अधिक सात व्यक्ति नियुक्त हो अपील कर सकेगा।

(2) पैनल के विशेषज्ञों की कुल सदस्यता के दो तिहाई सदस्य गैर सरकारी होंगे।

(3) पैनल के विशेषज्ञों की गणपूर्ति तीन से होगी।

(4) विशेषज्ञों के पैनल द्वारा अपील, उसके प्राप्त होने के पंद्रह दिनों के भीतर निपटा दी जाएगी।

#### अनुसूची-I

[नियम 3 (क) देखें]

सार्वकिल टायर और सार्वकिल ट्यूबों का विनिर्माता अनुसूची-II में दिए गए नियंत्रण के स्तरों सहित उत्पाद के विनिर्माण परिरक्षण और पैकिंग के विभिन्न प्रक्रमों पर निम्नलिखित नियंत्रणों का प्रयोग करते हुए सुनिश्चित करेगा।

(i) क्रय और कच्ची सामग्री का नियंत्रण :—

(क) विनिर्माता प्रयोग की जाने वाली कच्ची सामग्री की विशेषताओं को समाविष्ट करते हुए क्रय विनिर्देश अधिकृत करेगा।

(ख) स्वीकृत परेणों के साथ या तो क्रय विनिर्देशों की अपेक्षाओं की संतुष्टि करते हुए प्रदायकर्ता का परीक्षण और निरीक्षण प्रमाण-पत्र होगा जिस मामले में केता द्वारा विशिष्ट प्रदायकर्ता के लिए उपयुक्त परीक्षण या निरीक्षण की शुद्धता को स्थापित करने के लिए दस परेणों की कम से कम एक बार आकस्मिक जांच बाहरी प्रयोगशाला या परीक्षण गृह में की जाएगी।

(ग) किया जाने वाले निरीक्षण या परीक्षण के लिए नमूना लेना या अभिलिखित अन्वेषणों पर आधारित होगा।

(घ) निरीक्षण या परीक्षण किए जाने के पश्चात अस्वीकृत या स्वीकृत सामग्री का पुनर्करण और अस्वीकृत सामग्री का निपटान करने के लिए व्यवस्थित पद्धतियां अपनाई जाएगी।

(ङ) उपरोक्त नियंत्रणों के संबंध में विनिर्माता प्रयोजित अभिलेख नियमित और व्यवस्थित रूप में रखेगा।

(ii) प्रक्रिया नियंत्रण:—

(क) विनिर्माता विनिर्माण के विभिन्न प्रक्रमों के लिए व्योरेबार प्रक्रिया विनिर्देश अधिकृत करेगा।

- (ख) प्रक्रिया विनिर्देशों में अधिकतम प्रक्रियाओं को नियंत्रित करने के लिए उपस्कर और उपकरण का पर्याप्त सुविधाएं होंगी।
- (ग) विनिर्माण का प्रक्रिया के दौरान प्रयुक्त नियंत्रण के सत्यापन का संभावना को सुनिश्चित करने के लिए विनिर्माता द्वारा पर्याप्त अभिलेख रखे जाएंगे।

(3) उत्पाद नियंत्रण : —

- (क) अधिनियम की धारा 6 के अधीन मान्य विनिर्देशों के अनुरूप उत्पाद की जांच करने के लिए विनिर्माता के पास या तो अपनी परीक्षण सुविधाएं होंगी या उसकी पहुंच वहां तक होगी जहां ऐसी परीक्षण सुविधाएं विद्यमान हों।
- (ख) दिए जाने वाले निरीक्षण तथा परीक्षण के लिए नमूने लेना अभिलेखित श्रवणों पर आधारित होगा।
- (ग) नमूना लेना तथा किए गए परीक्षण के संबंध में पर्याप्त अभिलेख नियमित तथा व्यवस्थित रूप में रखे जाएंगे।
- (घ) उत्पाद की जांच करने के लिए नियंत्रक के न्यूनतम स्तर अनुसूची-2 में विनिर्दिष्ट के अनुसार होंगे।
- (ङ) साईकिल टायरों और साईकिल ट्यूबों पर नामित आकार विनिर्माता का नाम या संश्लेषण या व्यापार चिन्ह चिह्नित होंगे।

(4) परिरक्षण नियंत्रण : —

संभारकरण तथा अभिवहन दोनों के दौरान उत्पाद अलीभांति परिरक्षित किया जाएगा।

(5) पैकेज नियंत्रण : —

- (क) पैकेज बेखने में सुन्दर होंगे तथा अभिवहन के दौरान उठाई धराई की दृष्टि से काफी मजबूत होंगे।
- (ख) प्रत्येक पैकेज पर निम्नलिखित जानकारी दी जाएगी, अर्थात् ;
- (1) नामित आकार, विनिर्माता का नाम तथा या व्यापार चिन्ह।
  - (2) सामग्री की मात्रा।
  - (3) पोत लबान चिन्ह।

अनुसूची 2  
(साईकिल टायर)

क्रम सं.	अपेक्षाएं	संबंध	नमूनों की संख्या	आवृत्ति
1	2	3	4	5
1. फिनिश	प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	100 प्रतिशत	—	—
2. विमाएं	यथोक्त	प्रत्येक प्रकार के 2	प्रत्येक सप्ताह	—
3. शिखर मोटाई	यथोक्त	यथोक्त	—वही—	—
4. कैसिंग मजबूती	यथोक्त	यथोक्त	—वही—	—
5. बीड वायर का टूटन भार	यथोक्त	यथोक्त	—वही—	—
6. रबड़ मिश्रण की तनन क्षमता	यथोक्त	यथोक्त	—वही—	—
7. रबड़ मिश्रण के टूटन पर दीर्घकाल	यथोक्त	यथोक्त	—वही—	—

1	2	3	4	5
8. स्वरित अवस्था प्रयोजन के लिए मान्यताप्राप्त प्रत्येक प्रकार के 2 मानक विनिर्देश (साईकिल ट्यूब)	प्रयोजन के लिए मान्य मानक विनिर्देशों के अनुसार	100 प्रतिशत	—	सप्ताह
1. फिनिश	यथोक्त	प्रत्येक प्रकार की 2 ट्यूबें	—वही—	—
2. विमाएं	यथोक्त	यथोक्त	—वही—	—
3. टूटन के समय तनन क्षमता और दीर्घकाल (स्वरित अवस्था के पहले)	यथोक्त	यथोक्त	—वही—	—
4. टूटन पर तनन क्षमता और दीर्घकाल (स्वरित अवस्था के बाद)	यथोक्त	यथोक्त	—वही—	—
5. संयुक्त आरंभ क्षमता	यथोक्त	अभिलेखित श्रवण के आधार पर निर्धारित करने के बाद।	—	—
6. रिसाव परख	यथोक्त	100 प्रतिशत	—	अनुसूची 3

1. परेक्षणानुसार निरीक्षण : —

1.1 साईकिल टायर और साईकिल ट्यूबों का परेक्षण अधिनियम की धारा 6 के अधीन मान्यताप्राप्त मानक विनिर्देशों से उसकी अनुरूपता सुनिश्चित करने के लिए निरीक्षण और परीक्षण के अधीन किया जाएगा।

1.2 नमूना मानवंड के संबंध में संविदात्मक विनिर्देशों में विनिर्दिष्ट अनुबंध की अनुपस्थिति में उन पर नीचे दी गई सारणी में अधिकतम लागू होंगे।

सारणी 3

नमूना मापदण्ड

लौट आकार	बुने जाने वाले टायर और ट्यूबों की संख्या	दोषों की अनुमत सं.
(1)	(2)	(3)
500 तक	10	0
501 से 1000 तक	15	1
1001 से 3000 तक	20	1
3001 से 5000 तक	25	2
5001 से 10,000 तक	30	2
10,001 से 30,000 तक	40	3
30,001 से 50,000	50	3

लौट—किसी भी परेक्षण में विनिर्माण की संबंधित समान वशाओं में निमित्त समान श्रेणी तथा आकार के साईकिल के सभी टायर या ट्यूब मसकर एक लौट का गठन करेंगे।

सार्हकिल टायरो के लिए : —

1. 2. 1 उपरोक्त सारणी के अनुसार यदुच्छ रूप में चुने गए टायरों में से प्रत्येक भंजकता परीक्षण के लिए, अर्थात् परिधि, खंड चौड़ाई तथा शिखर मोटाई का परीक्षण किया जाएगा।

1. 2. 2 दो टायर यदुच्छ रूप से चुने जाएंगे और संभजकता परीक्षण व अर्थात् धागे की मजबूती, कैसिंग मजबूती प्रति 25 मि.मी., चौड़ाई वीड बायर जोड़ पर टूटन भार, तनन सामर्थ्य तथा विघटन पर दीर्घ-करण (स्वरित अवस्था के पूर्व तथा बाद में) आदि के लिए टायरों में से अपेक्षित परीक्षण टुकड़े लिए जाएंगे।

सार्हकिल ट्यूबों के लिए : —

1. 2. 3 सारणी के अनुसार यदुच्छ रूप से चुनी गई सभी ट्यूबें विमाओं और फिनिश तथा रिसाव परख के लिए परीक्षित की जाएंगी।

1. 2. 4 दो ट्यूबें यदुच्छ रूप से चुनी जाएंगी तथा भंजकता परीक्षण अर्थात् टूटने पर तनन सामर्थ्य और दीर्घकरण (स्वरित अवस्था के पहले और बाद में) संयुक्त प्रासंजन क्षमता आदि के लिए ट्यूबों में से अपेक्षित परख टुकड़े लिए जाएंगे।

[फाइल सं. 6(2)/82-ई आई एंड ई पी]

## MINISTRY OF COMMERCE

New Delhi, the 26th July, 1986

### ORDER

S.O. 2621.—Whereas in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (Central Act 22 of 1963), the Central Government is of opinion that it is necessary and expedient so to do for the development of the export trade of India that cycle tyres and cycle tubes should be subject to quality control and inspection prior to export;

And whereas, the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposals for information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objection or suggestion with respect of the said proposals may forward the same within forty-five days of the date of publication of this Order in the Official Gazette, to the Export Inspection Council of India, (Ministry of Commerce, Government of India), 11th floor, Pragati Tower, 26, Rajendra Place, New Delhi-110008.

### PROPOSALS

(1) to notify that cycle tyres and cycle tubes shall be subject to quality control and inspection prior to export;

(2) to recognise national and international standards and standards of other bodies recognised by the Export Inspection Council and also the contractual specification subject to the product satisfying the minimum of the characteristics specified in the Appendix to the order in respect of the standard specifications for cycle tyres and cycle tubes.

Note.—(i) When export contract does not indicate detailed technical requirement or is based only on samples the exporter should furnish a written down specification.

(ii) Methods of tests will be as per national standards.

(3) to specify the type of quality control and inspection in accordance with the draft Export of Cycle Tyres and Cycle Tubes (Quality Control and Inspection) Rules, 1986 as set out in the Annexure to this order as the type of quality control and inspection which shall be applied to such cycle tyres and cycle tubes prior to their export;

(4) to prohibit the export in the course of international trade of such cycle tyres and cycle tubes unless the same are accompanied by a certificate of inspection issued by an agency recognised by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) to the effect that such cycle tyres and cycle tubes conform to the standard specifications and are export-worthy or is affixed with a seal or mark recognised by the Central Government under section 8 of the said Act.

3. Nothing in this order shall apply to the export by land, sea or air of bonafide samples of cycle tyres and cycle tubes (not exceeding Rs. 250 in FOB value) to prospective buyers.

4. In this Order—

(1) (Appendix) means an appendix to this order;

(2) "Cycle tyres" means tyres to be used for Bicycles and rickshaws and shall consist of rubberised cord fabric casing, enclosing two steel bead wires, bead rings and tread strips of suitably compounded rubber;

(3) "cycle tubes" means rubber tubes meant for bicycles and rickshaws and shall be manufactured from natural or synthetic rubber suitably compounded and vulcanised.

### APPENDIX

(See paragraph (2) of the proposal)

1. Every manufacturer of the cycle tyres for Grade I and Grade II shall follow the following minimum specification for cycle tyres;

A. Cycle Tyres Grade-I—Heavy duty for Rickshaw

1. Finish and Workmanship:

The cycle tyre shall have a good finish and shall be free from visual imperfections.

2. Dimensions:

The dimensions/sizes of cycle tyre shall be as agreed between the foreign buyer and the exporter.

3. Casing Strength:

The material shall give a casing strength of not less than 170 Kg. per 25 mm width.

4. Breaking load of bead-wires:

The minimum ultimate breaking load of each of the bead wires comprising of a single or multiple coils shall be 300 kgs. when tested at any point including at the joint of the bead wire.

5. Accelerated ageing:

The tensile strength and elongation at break of the rubber compound shall not vary by more than +10 per cent from the original values after ageing at  $-15^{\circ}$  to  $+70^{\circ}$  C  $\pm 1^{\circ}$  C for 72 hours in an air oven.

6. Other requirements

The cycle tyre shall conform to the requirements of the relevant Indian Standard Specification in respect of the following:—

1. Construction
2. Crown Thickness
3. Tensile Strength of rubber compound
4. Elongation at break of rubber compound

B. Cycle Tyres Grade II—Light duty for bicycles

1. Finish and Workmanship:

The cycle tyre shall have a good finish and shall be free from visual imperfections.

2. Dimensions:

The dimensions/sizes of cycle tyre shall be as agreed between the foreign buyer and the exporter.

## 3. Accelerated ageing :

The tensile strength and elongation at break of the rubber compound shall not vary by more than  $\pm 10/15$  per cent from the original value after ageing at  $70^{\circ}\pm 1^{\circ}\text{C}$  for 72 hours in an air oven.

## 4. Other requirement :

The cycle tyre shall conform to the requirements of the relevant India Standard Specifications in respect of the following :—

- (i) Construction
- (ii) Crown Thickness
- (iii) Casing Strength
- (iv) Breaking load of bead wires
- (v) Tensile strength of rubber compound
- (vi) Elongation at break of rubber compound.

5. Every manufacturer of the Cycle Tubes shall ensure to follow the following minimum specification for Cycle Tubes :—

## 1. Construction :

The cycle tubes shall be manufactured from natural or synthetic rubber or a mixture of both suitably compounded and vulcanised.

## 2. Finish and Workmanship :

The cycle tubes shall have a good finish and shall be free from visual imperfections.

## 3. Dimensions :

The dimensions/sizes of cycle tubes shall be as agreed between the foreign buyer and the exporter.

## 4. Accelerated ageing :

The tensile strength and elongation at break of rubber compound after ageing at  $70^{\circ}\pm 1^{\circ}\text{C}$  for 72 hours in an air oven shall not vary by more than  $\pm 10$  per cent from the original value.

## 5. Other requirements :

The cycle tubes shall conform to the requirements of the relevant Indian Standard Specification in respect of the following :—

- (i) Tensile strength,
- (ii) Elongation at break,
- (iii) Joint Adhesion strength,
- (iv) Leak Test.

[See paragraph (3) of the proposal]

Draft rules proposed to be made under clause (d) of sub-section (2) of section 17 of the Export (Quality Control and Inspection) Act, 1963 (Central Act 22 of 1963).

1. Short title and commencement.—(1) These rules may be called the Export of Cycle Tyres and Cycle Tubes (Quality Control and Inspection) Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires :—

- (a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (Central Act, 22 of 1963);
- (b) "agency" means any one of the agencies established under section 7 of the Act at Bombay, Cochin, Calcutta, Delhi and Madras.
- (c) "cycle tyres" means tyres to be used for bicycles and rickshaws and shall consist of rubberised cord fabric casing, enclosing two steel bead wires, bead rings and tread strips of suitably compounded rubber ;
- (d) "cycle tubes" means rubber tubes meant for bicycle and rickshaws tyres and shall be manufactured from natural or synthetic rubber suitably compounded and vulcanised.

(e) "council" means the Export Inspection Council established under Section 3 of the Act ;

(f) "Schedules" means the Schedules appended to these rules.

3. Basis of Inspection.—Inspection of cycle tyres and cycle tubes for export shall be carried out with a view to seeing that the cycle tyres and cycle tubes conform to the specifications recognised by the Central Government under section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963)—

(a) by ensuring that the products have been manufactured by exercising necessary inprocess quality control as specified in schedule-I ;

or

(b) on the basis of inspection and testing carried out in the manner specified in Schedule-III.

4. Procedure of Inspection.—(1) An exporter intending to export a consignment of cycle tyres and cycle tubes shall give an intimation in writing to the agency furnishing therein details of the contractual specifications alongwith a copy of the export contract or order to enable the agency to carry out inspection in accordance with rule 3.

(2) For export of cycle tyres and cycle tubes manufactured by exercising adequate in process quality control as laid down in Schedule-I and the manufacturing unit adjudged as having adequate inprocess quality control drills by the Council or Panel of Experts constituted by the Council or for this purpose, the exporter shall also submit alongwith the intimation mentioned in sub-rule (1) a declaration that the consignment of cycle tyres and cycle tubes intended for export has been manufactured by exercising adequate quality control as laid down in Schedule-I and that the consignment conforms to the standard specifications recognised for the purpose.

(3) The exporter shall furnish to the agency the identification marks applied on the consignment to be exported.

(4) Every intimation under sub-rule (1) shall be given not less than seven days prior to the despatch of the consignment from the manufacturer's premises, while intimation alongwith the declaration under sub-rule (2) shall be given not less than three days prior to the despatch of the consignment from the manufacturer's premises.

(5) On receipt of the intimation under sub-rule (1) and the declaration if any under sub-rule (2), the agency :—

(a) on satisfying itself that during the process of manufacture, the manufacturer has exercised adequate quality control as laid down in Schedule-I and followed the instructions, if any, issued by the Council/Agency in this regard to manufacture the product to conform to the standard specifications recognised for the purpose, shall within three days issue a certificate declaring the consignment of cycle tyres and cycle tubes as exportworthy. In cases where the manufacturer is not the exporter, however, the consignment shall be physically verified and such verification and inspection as necessary shall be carried out by the agency to ensure that the above conditions are complied with. The agency shall, however, conduct spot checks on some of the consignments meant for export and also visit the units at regular intervals to verify the maintenance of the adequacy of inprocess quality control drills adopted by the unit. If the manufacturing unit is found not adopting the required quality control measures at any stage of manufacture on recommendation of the officers of the Council or Agency the unit shall be declared as not having adequate inprocess quality control drills. In such cases, the unit shall apply afresh for the approval of the adequacy of inprocess quality control drills adopted by them.

(b) In case where the exporter has not declared under sub-rule (2) that the adequate quality control as laid down in Schedule-I had been exercised on satisfying itself that the consignment of cycle tyres and cycle tubes conforms to the standard specifica-

tions recognised for the purpose, on the basis of inspection or testing carried out as laid down in Schedule III, or on the basis of both, shall within seven days of carrying out such inspection issue a certificate declaring the consignment of cycle tyres and cycle tubes as exportworthy :

Provided that where the agency is not so satisfied it shall refuse to issue a certificate to the exporter declaring the consignment of cycle tyres and cycle tubes as exportworthy and shall communicate such refusal within seven days to the exporter alongwith the reasons therefor.

(6) In case where the manufacturer is not the exporter or the consignments is inspected under sub-rule (5) (b), or in both cases, the agency shall, immediately after completion of the inspection, seal the packages in the consignment in a manner so as to ensure that the sealed packages cannot be tampered with. In case of rejection of the consignment if the exporter so desires, the consignment may not be sealed by the agency, but in such cases, however, the exporter shall not be entitled to prefer any appeal against the rejection.

#### 5. Affixation of recognised mark and procedure thereof :—

The provisions of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952), the Indian Standards Institution (Certification Marks) Rules, 1955 and the Indian Standards Institution (Certification Marks) Regulation, 1955, shall, so far as may be, apply in relation to the procedure of affixation of the recognised mark or seal on cycle tyres and cycle tubes.

6. Place of Inspection—Every inspection under these rules shall be carried out either—

(a) at the premises of the manufacturer of such products ;

or

(b) at the premises at which the goods are offered by the exporter provided adequate facilities for inspection existed therein.

7. Inspection Fee—The inspection fee shall be paid by the exporter to the agency as under :—

(a) for exports under inprocess quality control scheme at the rate of 0.2% of the FOB value subject to a minimum of Rs. 20 per consignment.

(b) for exports under consignmentwise inspection at the rate of 0.4% of the FOB value subject to a minimum of Rs. 20 per consignment.

8. Appeal—(1) Any person aggrieved by the refusal of the agency to issue certificate under sub-rule (5) of rule 4 may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not more than seven persons appointed for the purpose by the Central Government.

(2) A minimum of two-thirds of the total membership of the panel of experts shall be non-officials.

(3) The quorum for the panel of experts shall be three.

(4) The appeal shall be disposed off within fifteen days of its receipt.

### SCHEDULE-I

[See under rule 3(a)]

Every manufacturer of cycle tyres and cycle tubes shall be ensured by effecting the following controls at different stages of manufacture, preservation and packing of the product as laid down below, together with the levels of control as set out in the Schedule-II.

#### (i) Purchase and raw material control—

(a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of raw materials to be used.

(b) The accepted consignments shall be accompanied by a supplier's test and inspection certificate corroborating the requirements of the purchase specification, in which case occasional checks shall be conducted

at least once in 10 consignments by the purchaser for a particular supplier to verify the correctness of the aforesaid test or in an outside laboratory or test house.

(c) The sampling for inspection or test to be carried out shall be based on the recorded investigations.

(d) After the inspection or test is carried out, systematic methods shall be adopted in segregating the accepted and rejected materials and for disposal of the rejected materials.

(e) Adequate records in respect of the aforesaid controls shall be regularly and systematically maintained by the manufacturer.

#### (ii) Process Control—

(a) Detailed process specification shall be laid down by the manufacturer for different processes of manufacture.

(b) Equipment and instrumentation facilities shall be adequate to control the process as laid down in the process specification.

(c) Adequate records shall be maintained by the manufacturer to ensure the possibility of verifying the controls exercised during the process of manufacture.

#### (iii) Product control—

(a) The manufacturer shall have either his own testing facilities or shall have access to such testing facilities existing elsewhere to check up whether the product conforms to specification recognised under section 6 of the Act.

(b) Sampling for test and inspection to be carried out shall be based on the recorded investigation.

(c) Adequate records in respect of sampling and tests carried out shall be regularly and systematically maintained.

(d) The minimum levels of control to check the products shall be as specified in Schedule-II.

(e) The cycle tyres and cycle tubes shall be marked with nominal size, the name of the manufacturer or abbreviation or trade mark.

#### (iv) Preservation Control—

The product shall be well preserved both during the storage and the transit.

#### (v) Packing Control—

(a) The packages shall have a good presentability and sufficient strength to stand handling during transit.

(b) The following information shall be given on each package, namely :—

(i) the nominal size, name of the manufacturer and or trade mark,

(ii) quantity of material,

(iii) shipping mark.

## SCHEDULE-II

## (CYCLE TYRES)

Sl. Requirements No.	Reference	No. of samples	Frequency
1. Finish	standard specification recognised for the purpose.	100 %	—
2. Dimensions	-do-	Two of each type	Per week
3. Crown Thickness	-do-	-do-	-do-
4. Casing strength	-do-	-do-	-do-
5. Breaking load of bead wire	-do-	-do-	-do-
6. Tensile strength of rubber compound	-do-	-do-	-do-
7. Elongation at break of rubber compound	-do-	-do-	-do-
8. Accelerated ageing	-do-	-do-	-do-

## CYCLE TUBES

1. Finish	standard specification recognised for the purpose.	100 %	—
2. Dimensions	-do-	2 tubes of each type	Per week
3. Tensile strength and elongation at break (before ageing)	-do-	-do-	-do-
4. Tensile strength and elongation at break (after ageing)	-do-	-do-	-do-
5. Joint adhesion strength	-do-	To be fixed on the basis of recorded investigation.	—
6. Leak test	-do-	100 %	—

## SCHEDULE III

## 1. Consignmentwise Inspection :

1.1 The consignment of cycle tyres and cycle tubes shall be subject to inspection and testing to ensure conformity of the same to the standard specifications recognised under section 6 of the Act.

1.2 In the absence of specific stipulation in the contractual specifications as regards sampling criteria, the same laid down in Table given below shall become applicable.

TABLE  
SCALE OF SAMPLING

Lot Size	No. of tyres and Tubes to be selected	No. of P. rmiss No. of defectives
1	2	3
Upto 500	10	0
501 to 1000	15	1
1001 to 3000	20	1
3001 to 5000	25	2
5001 to 10000	30	2
10001 to 30000	40	3
30001 to 50000	50	3

Lot—In any consignment, all the cycle tyres or tubes of the same, grade, nominal size manufactured under relatively similar conditions of manufacture shall constitute a lot.

## For Cycle Tyres

1.2.1 Each of the tyres selected at random as per the Table above shall be tested for non-destructive test, namely, circumference, section, width and crown thickness.

1.2.2 Two tyres shall be chosen at random and the required test pieces shall be taken out from the tyres for carrying out destructive test, namely, cord strength, casing strength per 25 mm. width, breaking load at bead wire joint, tensile strength and elongation at break (both before and after ageing) etc.

## For Cycle Tubes

1.2.3 All the tubes selected a random as per Table shall be tested for dimensions and finish and leak test.

1.2.4 Two tubes shall be chosen at random and the required number of test pieces shall be taken from the tubes for destructive tests, namely, tensile strength and elongation at break (both before and after ageing), joint adhesion strength etc.

कां. आ. 2622.—केंद्रीय सरकार, (नियत) क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (केंद्रीय अधिनियम, 1963 का 22) की धारा 8 के अधीन प्रवृत्त शक्तियों का प्रयोग करते हुए साईकिल टायरों और साईकिल ट्यूबों के संबंध में भारतीय मानक संस्थान प्रमाणित चिन्ह की मांग्यता देने का प्रस्ताव धृष्ट धोतन करने के प्रयोजन से करती है कि जिन साईकिल टायरों और साईकिल ट्यूबों पर ऐसे चिन्ह बिपकाए गए हैं या लागू हैं उन्हें उक्त अधिनियम के अधीन उन पर लागू मानक विनियमों के अनुरूप समझा जाएगा ;

और केंद्रीय सरकार ने उन्हें (नियत) क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1964 के नियम 11 के उप नियम (2) की अपेक्षा-नुसार निर्यात निरीक्षण परिषद् को भेज दिया है ;

अतः अब, केंद्रीय सरकार उक्त उप नियम के अनुसरण में उक्त प्रस्तावों को उन लोगों की जानकारी के लिए प्रकाशित करती है जिनके उनसे प्रभावित होने की संभावना है।

2. सूचना दी जाती है कि यदि कोई व्यक्ति उक्त प्रस्ताव के बारे में कोई आपेक्ष या सुझाव देना चाहता है तो वह उसे इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से पैंतालीस दिनों के भीतर भारतीय निर्यात निरीक्षण परिषद् (वाणिज्य मंत्रालय, भारत सरकार) 11वीं मंजिल, प्रगति टावर, 26, राजेन्द्रा प्लेस, नई दिल्ली-110008 को भेज सकता है।

स्पष्टीकरण :—इस अधिसूचना में :—

- (1) "साईकिल टायरों" से साईकिल और रिक्शा में प्रयुक्त होने वाले टायर अभिप्रेत हैं जिनमें दो स्टील बीड वायर बीड रिग तथा उपयुक्त मिश्रित रबर की धारियों सहित कोई कैब्रिक कैसिंग होती है।
- (2) "साईकिल ट्यूबों" से रिक्शा तथा साईकिलों में प्रयोग के लिए बनाई गई रबर की ट्यूब अभिप्रेत है और उसमें उप-युक्त मिश्रित तथा बल्कलिप्त किया गया प्राकृतिक और/या कृत्रिम रबर होगा।

[फाईल सं. 6(11)/82-ई आई एण्ड ई पी]

एन.एस. हरिहरन, निदेशक

S.O. 2622.—Whereas the Central Government, in exercise of the powers conferred by Section 8 of the Export (Quality Control and Inspection) Act, 1963 (Central Act, 22 of 1963), proposes to recognise the Indian Standard Institution Certification Mark in relation to cycle tyres and cycle tubes for the purpose of denoting that where cycle tyres and cycle tubes are affixed or applied with such mark, they shall be deemed to be in conformity with the standard specifications applicable thereto under the said Act;

And whereas the Central Government forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1984:

Now, therefore, in pursuance of the said sub-rule the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within forty five days of the date of publication of this notification in Official Gazette to the Export Inspection Council of India (Ministry of Commerce, Government of India), 11th Floor, Pragati Tower, 26 Rajendra P'ace, New Delhi-110008.

EXPLANATION.—In this Notification :—

- (i) "Cycle Tyres" means tyres to be used for bicycles and rickshaws and shall consist of rubberised cord

fabric casing, enclosing two steel bead wires, bead rings and tread strips of suitably compounded rubber.

- (ii) "Cycle tubes" means rubber tubes meant for bicycles and rickshaws and shall be manufactured from natural and/or synthetic rubber suitably compounded and vulcanised.

[F. No. 6(11)/82-EI&EP]  
N. S. HARIHARAN, Director

उप मुख्य निबंधन, आयात निर्यात का कार्यालय

भोपाल, 16 मई, 1986

निर्यात आदेश

का. आ. 2623:—(1) मैं. मध्य प्रदेश एक्सपोर्ट कार्पोरेशन लि., पंचालन, बिल्डिंग, मालवीय नगर, भोपाल-462003 को सभी प्रकार के 2050 एम टी सैकेन्ड/सैकेन्ड ग्रेड्स/डिफेक्टिव्स/कटिंग्स/मफिल आफ पीटस/प्लेटिड/क्वायल्स/रिट्रिप्स किसी भी आकार में/सैकशन/कहीं अन्यत्र घोषित न की गई कोटिड/प्लेटिड या अनकोटिड फार्म, टिन/जिंक/एल्यूमीनियम/मिश्रित एल्यूमिनियम/प्लेटिड तथा उपर्युक्त व्यौरे में माकॉट के लिए टिन मुक्त इस्पात की पण्य बस्तुओं सहित, के आयात के लिए 49.50 लाख रु. का एक वास्तविक उपभोक्ता लाइसेंस सं. आई/ए/452329 दिनांक 6-6-1985 जिसके एकमात्र लाभभोगी मैं. मेटलमैन इण्डिया, इन्दौर थे, गवती से जारी किया गया था।

(2) उपर्युक्त त्रुटि के कारण मुख्य निबंधक आयात निर्यात ने यह इच्छा व्यक्त की थी कि लाइसेंसधारक द्वारा आवेदक को माप की सुविधा न की जाए तथा उन्हें एक अनुपूरक लाइसेंस के लिए आवेदन करने की मलाह दी थी।

(3) तथापि, मैं. मेटलमैन इण्डिया, इन्दौर ने मालवीय उच्च न्यायालय, जबलपुर में एक समादेश याचिका सं. 2082/85 दाखिल की। तदनन्तर प्रक्रिया अनुसार अनुपूरक लाइसेंस के लिए एक आवेदन पत्र भी दाखिल किया जिस पर 29 जनवरी, 1986 को मुख्य निबंधक आयात निर्यात का कार्यालय के छोड़ा तथा इस्पात अनुपूरक लाइसेंसिंग समिति द्वारा विचार किया गया था तथा पिछली दो लाइसेंसिंग अवधियों में सर्वोत्तम खपत की अनुमति प्रदान करने का निर्णय लिया गया था और 17.94 लाख रु. के लिए 598 मी. टन की मात्रा के साल के आयात के लिए दोनों सीमांत शटक को आगे अनुमोदित किया गया था, जिसका उपर्युक्त 49.50 लाख रु. के लाइसेंस के मद्दे समानु-योजना किया जाना था।

(4) तथापि, बाद में न तो मैं. एम. पी. एक्सपोर्ट कार्पोरेशन लि. और अधिक आयात (पहले से किए गए आयात से अतिरिक्त अन्य) करने के लिए इच्छुक था और मैं. मेटलमैन इण्डिया को सीधे एक लाइसेंस जारी करने के लिए अपना विकल्प दे दिया था, और न ही मैं. मेटलमैन इण्डिया एम. पी. एक्सपोर्ट कार्पो. लि. के माध्यम से आयात करना चाहता था और अपने नाम में ही सीधा लाइसेंस जारी करने का इच्छुक था।

(5) (क) माननीय उच्च न्यायालय जबलपुर ने अपने 7-2-1976 तथा 30-4-1986 के आदेशों में पार्टी की शेष हकदारी के लिए सीधे लाइसेंस जारी किए जाने का आदेश दिया था। 598 मीट्रिक टन तथा 17.94 लाख रु. का कुल हकदारी में से लाइसेंस की सीमाशुल्क प्रति, 1558.511 एम. टी. तथा 38,49,081 रु. का शेष दर्शाती है, तदनुसार, मैं. मेटलमैन इण्डिया, इन्दौर के पक्ष में शेष रकम के लिए 27-5-1986 तक एक आयात लाइसेंस जारी किया जाना है। मैं. एम. पी. एक्सपोर्ट कार्पोरेशन, लि. भोपाल से उपर्युक्त उल्लिखित लाइसेंस दिनांक 6-6-1985 की सीमाशुल्क प्रयोजन तथा मुद्रा विनियम नियंत्रण प्रायोजन प्रतियां संग्रहीत की थीं।

5. (ख) निगम को लाइसेंस वापस करने का निदेश दिया गया था क्योंकि यह समझा गया था कि जिस प्रयोजन के लिए यह लाइसेंस जारी किया गया था उसे यह पूरा नहीं करेगा तथा उसकी मुपुर्दगी के बाद ही एक सीधा लाइसेंस जारी किया जा सकता है। लेकिन बताया गया है कि उक्त लाइसेंस की मुद्रा विनिमय प्रति को केनाग बैंक, अरेरा कालोनी ब्रांच, भीमपाल को प्रस्तुत किया गया था तथा वह खो/अस्थानस्थ हो गई है और मुरन् उपलब्ध नहीं है।

(6) तथापि, मी. मेटलमैन इण्डिया को सीधे लाइसेंस जारी करने के लिए निगम ने लाइसेंस की सीमाशुल्क प्रायोजन प्रति वापस कर दी है लेकिन वह उम्मीदी मुद्रा, विनिमय नियंत्रण प्रति का पता लगाने और प्रस्तुत करने में असमर्थ रही है। माननीय उच्च न्यायालय के दिनांक 30-4-1986 के आदेशों को समय पर अनुपालना के लिए श्री आर. के. गुप्ता, महाप्रबंधक तथा निगम द्वारा बिधिवत नियत अधिकारी ने मुद्रा विनिमय नियंत्रण प्रति की बजाए दिनांक 15-5-76 का एक अपपत्र दिया है।

(7) अतः प्रधानमंत्री आयात (नियंत्रण) आदेश, 1955 की धारा 9 (घ) के अंतर्गत प्रवर्त अधिकारों का प्रयोग करते हुए तथा माननीय उच्च न्यायालय के दिनांक 30-4-86 के आदेशों की अनुपालना के लिए, मी. उक्त लाइसेंस स. आई/ए/1452329 दिनांक 6-6-1985 को मुद्रा विनिमय नियंत्रण प्रति को, भविष्य में किसी भी प्रकार के संचालन के लिए, एतद्वारा रद्द करने का आदेश देता हूँ।

[फाइल नं. एल. आई. टी./2/85/बी. सी. सो. आई. एण्ड ई./बी. पी. एल.]

रमेश चन्द्र चतुर्वेदी, उप मुख्य नियंत्रक, आयात-निर्यात

(Office of the Dy. Chief Controller of Imports & Exports)

Bhopal, the 16th May, 1986

#### CANCELLATION ORDER

S.O. 2623.—(1) M/s. Madhya Pradesh Export Corporation Ltd., Panchanan Bldg., Malvia Nagar, Bhopal 462003, were erroneously issued an A. U. licence No. I/A/1452329, dated 6-6-1985 for import of 2050 Mts of all seconds/second grades/defectives/cuttings/circles of sheets/plated/coils/strips in any shape/section/form not elsewhere stated coated/plated or uncoated condition including tin/zinc/Aluminium/Aluminium Alloy Coated/Plated & Commodity marketed as tin free steels in the description above stated, for Rs. 49.50 lacs, wherein, the sole beneficiary was M/s. Metalman India, Indore.

(2) The Chief Controller of Imports & Exports in view of above error desired the licensee not to deliver the material to the petitioners, and, advised them to apply for a supplementary licence.

(3) M/s. Metalman India, Indore however filed a Misc. Writ Petition No. 2082/85 in the Hon'ble High Court of Jabalpur, and subsequently made an application for supplementary licence as per procedure, which was considered by the Supplementary Licensing Committee for Iron & Steel Items in the O/o CCI&E, on the 29th Jan. 1986, and it was decided to allow the best consumption of any of the last two licensing periods and therefore import of goods worth Rs. 17.94 lacs for a quantity of 598 Metric Tonnes, both value and quantity as limiting factors was approved further, this was to be adjusted against the above mentioned licence for Rs. 49.50 lacs.

(4) However, subsequently neither M/s. M. P. Export Corpn. Ltd., was interested in effecting any more imports, (other than those already imported) and, gave consent for issue of a direct licence to be issued to M/s. Metalman India nor M/s. Metalman India wanted the imports through M/s. M. P. Export Corporation Ltd. and also wanted the direct licence issued in their name.

(5)(A) The Hon'ble High Court of Jabalpur in their orders dated 7-2-1986 and 30-4-86, thereby, ordered for issue of a direct licence for the balance entitlement of the party. Out of the total entitlement of the Rs. 17.94 lacs and 598 Metric Tonnes, the Customs copy of licence shows a balance of Rs. 38,49,081 and 1558.511 MTs and therefore an import licence has to be issued in favour of M/s. Metalman India, Indore by 27-5-1986, for the balance. Both the Customs purposes and Exchange Control purposes Copies of the abovementioned licence dt. 6-6-1985 were called from M/s. M. P. Export Corporation Ltd., Bhopal.

(5)(B) The corporation was directed to surrender the licence as it was considered that the same will not serve the purpose for it was issued and a direct licence could be issued, only after surrender of the balance. But the Exchange copy of the said licence is stated to have been presented to the Canara Bank, Area Colony, Branch, Bhopal and the same is stated to have been lost/misplaced and not readily forthcoming.

6. However, the Corporation has been able to surrender only the Customs Purposes copy, and have not been able to locate and produce the Exchange Control Copy of the licence for issue a direct licence to M/s. Metalman India. Instead an affidavit dt. 15-5-1986 regarding the Exchange Controller Copy, has been given by Shri R. K. Gupta, General Manager and duly assigned Officer of the Corporation for the ensuring the timely compliance of the Orders of the Hon'ble High Court dated 30-4-1986.

7. Therefore, in exercise of the powers confirmed upon me under section 9(d) of the Imports (Control) Order, 1955, as amended, and for complying with orders dated 30-4-1986, of the Hon'ble High Court, I hereby order cancellation of the Exchange Control Copy of the above licence No. I/A/1452329 dated 6-6-1985 for any future operations, whatsoever.

[No. LIT/2/85/DCCI&E/BPL]

R. C. CHATURVEDI, Dy. Chief Controller of Imports & Exports.

#### उद्योग मंत्रालय

(औद्योगिक विकास विभाग)

नई दिल्ली, 10 जुलाई, 1986

का.आ. 2624—व्यापार और पण्य वस्तु विज्ञान नियम, 1959 के नियम 155 के उप-नियम (4) के अनुसरण में यह अधिसूचित किया जाता है कि उक्त नियम के उप-नियम (1) और उप-नियम (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार ने सर्वश्री (1) एम.पी. मीरकन्वानी, (2) आर.एम.पाई., (3) जे.बी.राय, (4) ए.एन.नागपाल, (5) बी.के. मोहनराज, (6) सी. थानिकवलम और (7) एम.एम. मेहता के नाम व्यापार चिह्न अधिकर्ता रजिस्ट्रार से दृढ़ किए हैं।

[का. सं. 29/1/84-पी.पी.एंड सी.]

#### MINISTRY OF INDUSTRY

(Department of Industrial Development)

New Delhi, the 10th July, 1986

S.O. 2624.—In pursuance of sub-rule (4) of rule 155 of the Trade and Merchandise Marks Rules, 1959, it is hereby notified that, in exercise of the powers conferred by sub-



rule (1) and sub-rule (3) of the said rule, the Central Government has removed the names of S/Shri (i) M.P. Mirchandani, (ii) R.S. Pal, (iii) J.V. Roy, (iv) A. N. Nagpal, (v) V. K. Mohanraj, (vi) C. Thanickchalam, and (vii) S. S. Mahita from the Register of Trade Marks Agents.

[File No. 29/1/84-PP&C]

का.आ. 2625.—व्यापार और पण्य वस्तु चिह्न नियम, 1959 के नियम 157 के उप-नियम (2) के अनुसरण में यह अधिसूचित किया जाता है कि उक्त नियम 157 के उप-नियम (1) द्वारा प्रदत्त शक्तियों

S.O. 2625.—In pursuance of sub-rule (2) of rule 157 of the Trade and Merchandise Marks Rules, 1959, it is hereby notified that in exercise of the powers conferred by sub-rule (1) of the said rule 157, the Central Government has caused the following alterations to be made in the Register of Trade Marks Agents as shown below:—

Sl. No.	Name of the Trade Marks Agent	Address of the place of residence	Address of the principal place of business
1.	A.S. Siva	Shri A.S. Siva & Co. Trade Mark, Patent & Copy Right Attorneys, 49/6, Hensmen Road T. Nagar, Madras-600017.	Sh. A.S. Siva & Co. Trade Mark Patent and Copy Right Attorneys, 49/6, Hensmen Road, T. Nagar. Madras-600017.

[File No. 29/1/84-PP&C]  
P. R. CHANDRAN, Director

ऊर्जा मंत्रालय  
(कोयला विभाग)  
नई दिल्ली, 7 जुलाई, 1986

शुद्धि-पत्र

का.आ. 2626:—भारत के राजपत्र दिनांक 18 जनवरी, 1986 के भाग II खंड 3, उपखंड (ii) में पृष्ठ क्रमांक 158 से 160 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना का. आ. सं. 159, दिनांक 6 जनवरी, 1986 में:

पृष्ठ 158 पर:

अनुसूची "क" में

(1) सरकारी भूमि क्षेत्र हेक्टर में स्तम्भ में कुल योग "1.62" के स्थान पर "17.62" पढ़ें।

(2) बघोड़ा ग्राम में अर्जित किए गए प्लॉट संख्यांक में—

(अ) "48/1 से 48/8" के स्थान पर "48/1 से 48/6" पढ़ें।

पृष्ठ 159 पर:

अनुसूची "ख" में

(1) सावनेर ग्राम में अर्जित किए गए प्लॉट संख्यांक में

(अ) "689 भाग" के स्थान पर "669 भाग" पढ़ें।

(ब) "724, 725/2, 726/1" के स्थान पर "724, 725/1, 725/2" पढ़ें।

(क) "735/1, 735/2" के स्थान पर "735/1, 735/2" पढ़ें।

(ख) "732/2 से 732/3" के स्थान पर "732/1 से 732/3" पढ़ें।

पृष्ठ 160 पर:—

(क) "777/1 — 878/1 — 779/2" के स्थान पर "771/1 — 778/1 — 779/2" पढ़ें।

[फा.सं. 430/9/12/84-सी ए]  
समय सिंह, प्रवर सचिव

MINISTRY OF ENERGY  
(Department of Coal)  
New Delhi, the 7th July, 1986  
CORRIGENDA

S.O. 2626.—In the notification of the Government of India, in the Ministry of Energy (Department of Coal), No. S.O. 159, dated the 6th January, 1986, published at pages 160 to 163 of the Gazette of India, Part II, Section 3, sub-section (ii), dated the 18th January, 1986,

(a) in Schedule 'A', at page 161,—

(i) in the headline, for "Saower Block", read "Saoner Block";

(ii) under the heading "plot number acquired in village Waghoda", in line 5, for "63/1 (Part)" read "63/1";

(iii) under the heading "plot numbers acquired in village Umarl (Arole)", in line 10, for "100/.", read "100/4";

(iv) under the heading "Boundary Description"—

(A) in line 1, for "63", read "62";

(B) in line 3, for "76/97", read "76/9";

(b) in Schedule 'B', at page 162,—

(i) under the heading "plot numbers acquired in village Saoner",—

(a) in line 5, for "787/1", read "687/1";

(b) in line 8, for "700/1", read "700/2";

(c) in line 10, for "712/1, 59712/4" read "712/2 to 712/4";

(d) in line 12, for "727 to 730", "731/2", read "727 to 730, 731/1, 731/2";

(e) in line 17, for "755/1, 755/2", read "775/1, 775/2";

(ii) under the heading "Boundary description",—

(a) in line 17, for "16|1—19|1—99|.", read "16|1—19|1—19/4";

(b) in line 23, for "69/2-3, 68, 19-70", read "19/2-3, 68, 69-70".

[No. 43019/12/84-CA.]

नई दिल्ली, 10 जुलाई, 1986

#### सूचिका

का. घा. 2627.—भारत के राजपत्र तारीख 1 मार्च, 1986 के भाग II, खण्ड 3, उपखण्ड (ii) में पृष्ठ 844 से 845 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय, कोयला विभाग की अधिसूचना का. घा. सं. 792 तारीख 12 फरवरी, 1986 में :—

पृष्ठ 845 पर— "अनुसूची में—"

(1) "पूर्वक्षण के लिए" वर्णित भूमि के स्थान पर "पूर्वक्षण के लिए अधिसूचित भूमि" पढ़िए।

सीमा वर्णन में—

(2) रेखा "क—ख" में "किर नदी" के स्थान पर "किर सोन नदी" पढ़िए और "खमरो" के स्थान पर "खमरोख" पढ़िए।

[सं. 43015/29/85-सी. ए.]

समय सिंह, अवर सचिव

New Delhi, the 10th July, 1986

#### CORRIGENDUM

S.O. 2627.—In the English version of the Notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 792, dated the 12th February, 1986, published in the Gazette of India, Part II, Section 3, sub-section (ii), dated the 1st March, 1986 at pages 845 to 846:—

At page 845,—

(i) in paragraph 3 line 5, for "Collector Shabdol" read "Collector Shahdol";

(ii) in paragraph 4 line 5, for "ninenty days" read "ninety days";

In the Schedule,—

(i) in line 4, for "Prosepecting" read "Prospecting";

(ii) in line 5, for "District" read "District";

At page 846.—under the heading 'boundary description' in line 1, for "A-B Lines read "A-B Line".

[No. 43015/29/85-CA]

SAMAY SINGH, Under Secy.

#### पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 22 जुलाई, 1986

का. घा. 2628.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार की धर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. घा. सं. 233 तारीख 25-1-86 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः संसद प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट देनी है ;

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग के अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार यह निदेश देता है कि उक्त अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख की निहित होगी।

#### अनुसूची II

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : पलवा	तहसील : महिबपुर	जिला : उज्जैन राज्य (मध्य प्रदेश)
अनु. क्र.	खसरा नं.	उपयोग का अधिकार धर्जन का क्षेत्र (हेक्टर में)
1	2	3
1.	624/2	0.020
2.	625	0.030
3.	626	0.470
4.	627/1	0.010
5.	628/1	0.960
6.	540/2	0.030
7.	629	0.490
8.	639	0.020
9.	638/1	0.030
10.	638/2/1	0.040
11.	721/1	0.220
12.	721/2	0.120
13.	733/2	0.020
14.	723/1	0.050
15.	723/2	0.160
16.	644/796/2/1	0.010
17.	717	0.130
18.	718	0.020
19.	719	0.020
20.	726/1	0.010
21.	775/1/2	0.180
22.	714/3	0.050
23.	714/4	0.150
24.	713/1	0.070
25.	713/2	0.200
26.	779	0.010
27.	780	0.050
28.	781	0.020
29.	712	0.120
30.	711	0.020
31.	665	0.040
32.	710	0.140
33.	178	0.040

1	2	3
34.	179	0.320
35.	188	0.010
36.	189	0.240
37.	190	0.330
38.	186/2	0.010
39.	191	0.010
40.	192	0.450
41.	197	0.005
42.	107/1	0.100
43.	72/1	0.250
44.	72/2	0.160
45.	108/4/2	0.050
योग : कुल क्षेत्रफल		7.090

ह०/-

सक्षम प्राधिकारी, एच०बी०जे० प्रोजेक्ट,  
जिला—उज्जैन  
[सं. जी० 14016(388/84)-जी०पी०]

## MINISTRR OF PETROLEUM AND NATURAL GAS

New Delhi, the 22nd, July, 1986

S.O. 2628.—Whereas by notification of Government of India in the Ministry of Petroleum S.O. 233 Dated 25-1-86 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land, Act 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (i) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the powers conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest of this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

## SCHEDULE

## H.B.J. GAS PIPELINE PROJECT

Village : Pulva Thsil : Mahidpur Dist. : Ujjain State : M.P.

Sl. No.	Khasra No.	Area to be acquired for ROU (In Hectares)
1	2	3
1.	624/2	0.020
2.	625	0.030
3.	626	0.470
4.	627/1	0.010
5.	628/1	0.960
6.	540/2	0.030

1	2	3
7.	629	0.490
8.	639	0.020
9.	638/1	0.030
10.	638/2	0.040
11.	721/1	0.220
12.	721/2	0.120
13.	722/2	0.020
14.	723/1	0.050
15.	723/2	0.160
16.	644/796/2/1	0.010
17.	717	0.130
18.	718	0.020
19.	719	0.020
20.	726/1	0.010
21.	775/1/2	0.180
22.	714/3	0.050
23.	714/2	0.150
24.	713/1	0.070
25.	713/2	0.200
26.	779	0.010
27.	780	0.050
28.	781	0.020
29.	712	0.120
30.	711	0.020
31.	665	0.040
32.	710	0.140
33.	703	0.510
34.	702	0.020
35.	700	0.120
36.	701	0.200
37.	699/1	0.690
38.	699/2	0.070
39.	695	0.040
40.	696/1	0.110
41.	696/2	0.010
42.	697/1	0.060
43.	698	0.020
44.	309	0.020
45.	310	0.020

Total area 5.710

Sd/-

Competent Authority H.B.J. Gas Pipeline Project  
Dist. Ujjain  
[No. O-14016(388)/84-G.P.]

का.आ. 2629—यस: पैट्रोलिएम और नैचुरल गैस पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पैट्रोलिएम मंत्रालय की अधिसूचना का०आ०सं. 815, तारीख 1-3-86 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अथ अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को, निहित होगा

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम: बेलाखेड़ा तहसील: महिपुर जिला: उज्जैन राज्य: (मध्य प्रदेश)  
अनुसूची

अनु. क्र.	खसरा नं.	उपयोग अधिकार धर्जन का क्षेत्र (हेक्टर में)
1	2	3
1.	83	0.160
2.	84	0.180
3.	85	0.200
4.	86	0.080
5.	87/1	0.120
6.	71	0.110
7.	73	0.020
8.	74	0.440
9.	90	0.180
10.	91	0.020
11.	95	0.005
12.	96	0.500
13.	103	0.170
14.	-102/2	0.100
15.	-108/5	0.230
16.	-108/6	0.280
17.	-108/3	0.240
18.	-107/3	0.140
19.	-109	0.020
20.	-115/1	0.300
21.	-168/1	0.240
22.	-116/	0.150
23.	-167/4	0.240
24.	-167/5	0.280
25.	-167/1/1/2	0.180
26.	-167/1/1	0.200
27.	167/2	0.060
28.	167/3	—
29.	164	0.020
30.	165	0.020
31.	175	0.060
32.	176	0.050
33.	177	0.120
34.	178	0.040
35.	179	0.320
36.	188	0.010
37.	189	0.240

38.	190	0.330
39.	186/2	0.010
40.	191	0.010
41.	192	0.450
42.	197	0.005
43.	107/1	0.100
44.	72/1	0.250
45.	72/2	0.160
46.	108/4/2	0.050
योग : कुल क्षेत्रफल		7.090

रु०/-

सक्षम प्राधिकारी

एच.बी.जे. प्रोजेक्ट, जिला उज्जैन

[सं. मो-14016(535/86) जी.पी.]

राकेश कंकड़, उप-सचिव

S.O. 2629.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 815 Dated 1-3-86 under sub-section(1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land, Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to the notification hereby acquired for laying the pipeline;

And further, in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Governments on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

#### HBJ GAS PIPELINE PROJECT

Villag: Belakheda Tehsil Mahidpur District : Ujjain  
State : M.P.

#### SCHEDULE

S. No.	Survey No.	Area to be acquired for R.O.U. in Hectares
1	2	3
1.	83	0.160
2.	84	0.180
3.	85	0.200
4.	86	0.080
5.	87/1	0.120
6.	71	0.110
7.	73	0.020
8.	74	0.440
9.	90	0.180
10.	91	0.020
11.	95	0.005

1	2	3
12.	96	0.500
13.	103	0.170
14.	-102/2	0.100
15.	-108/5	0.230
16.	-108/6	0.280
17.	-108/3	0.240
18.	-107/3	0.140
19.	-109	0.020
20.	-115/1	0.300
21.	-168/1	0.240
22.	-116/	0.150
23.	-167/4	0.240
24.	-167/5	0.280
25.	-167/1/1/2	0.180
26.	-176/1/1	0.200
27.	167/2	0.060
28.	167/3	—
29.	164	0.020
30.	163	0.020
31.	175	0.060
32.	176	0.050
33.	177	0.120
34.	178	0.040
35.	179	0.320
36.	183	0.010
37.	189	0.240
38.	197	0.330
39.	186/2	0.010
40.	191	0.010
41.	192	0.450
42.	197	0.005
43.	107/1	0.100
44.	72/1	0.250
45.	72/2	0.160
46.	103/4/2	0.050
Total Area		7.090

Sd./

Competent Authority,  
H.B.J. Project, Distt. Ujjain  
[No. O-14016(535/86) G.P.]  
RAKESH KACKER, Deputy Secy.

## खाद्य और नागरिक पूर्ति मंत्रालय

(खाद्य विभाग)

नई दिल्ली, 22 मई, 1986

प्रादेश

का. घा. 2630.—यतः केन्द्रीय सरकार ने खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपाप्ति निदेशालयों और खाद्य विभाग के वेतन तथा सेवा कार्यालयों द्वारा किए जाने वाले खाद्यान्नों के क्रय, भंडारण संभालन, परिवहन, वितरण तथा विक्रय के कृत्यों का पालन करना बन्द कर दिया है जोकि खाद्य निगम अधिनियम, 1964 (1964 का 37) की धारा 13 अधीन भारतीय खाद्य निगम के कृत्य हैं।

और यतः खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपाप्ति निदेशालयों और खाद्य विभाग के वेतन तथा सेवा कार्यालयों में कार्य कर रहे और उपरिर्णित कृत्यों के पालन में लगे निम्नलिखित कर्मचारी ने केन्द्रीय सरकार के तारीख 16 अप्रैल, 1971 के परिपत्र के प्रत्युत्तर में उसमें विनिर्दिष्ट तारीख के अन्तर्गत भारतीय खाद्य निगम के कर्मचारी न बनने के अपने आग्रह को उक्त अधिनियम की धारा 12ए की उपधारा (1) परन्तुत द्वारा यथा अपेक्षित सूचना नहीं दी है;

यतः खाद्य निगम अधिनियम, 1964, (1964 का 37) यथा अद्यतन संशोधित की धारा 12ए द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा निम्नलिखित कर्मचारी को उसके सामने दी गई तारीख से भारतीय खाद्य निगम में स्थानान्तरित करती है :—

क्रम अधिकारी/सं. कर्मचारी का नाम	केन्द्रीय सरकार के अधीन स्थायी पद	स्थानान्तरण के लिए केन्द्रीय निगम में स्थानान्तरण के तारीख	भारतीय खाद्य निगम में स्थानान्तरण की तारीख
1. श्री बालकृष्ण दास	कनिष्ठ गोदाम रखक	वरिष्ठ गोदाम रखक	1-1-84

[सं. 52/2/82-एफ. सी. III]

एस. के. स्वामी, धवर सचिव

## MINISTRY OF FOOD &amp; CIVIL SUPPLIES

(Department of Food)

New Delhi, the 22nd May, 1986

## ORDER

S. O. 2630 :—Whereas the Central Government has ceased to perform the functions of purchase, storage, movement, transport, distribution and sale of foodgrains done by the Department of Food, the Regional Directorates of Food, the procurement Directors and the Pay and Accounts Offices of the Department of Food which under Section 13 of Food Corporations Act, 1964 (37 of 1964) are the functions of the Food Corporation of India;

And whereas the following employee serving in the Department of Food, the Regional Directorate of Food, the procurement Directorates and the Pay and Accounts Offices of the Department of Food and engaged in the performance of the functions mentioned above have not in response to the circular of the Central Government dated the 16th April, 1971 intimated, within the date specified, therein, their intention of not becoming employee of the Food Corporation of India as required by the proviso to sub Section (1) of Section 12A of the said Act,

Now, therefore, in exercise of the powers conferred by Section 12A of the Food Corporations Act, 1964 (37 of 1964) as amended upto-date the Central Government hereby transfer the following employee to the Food Corporation of India with effect from the date mentioned against him.

S.No.	Name of the Officer/employee	Permanent post held under the Central Govt.	Post held under the Central Govt. at the time of transfer	Date of transfer to FCI
1.	Shri Balkrishna Das	Junior Godown Keeper	Senior Godown Keeper	1-1-84

[No. 52/2/82—F.C. III]

S.K. SWAMI, Under Secy.

## कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 30 जून, 1986

का. घा. 2621.—केन्द्रीय सरकार, बहु राज्य सहकारी सन्निधि अधिनियम, 1984 (1984 का 51) की धारा 4 की उप-धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार की अधिसूचना सं. एल. 11012/1/85-एल. एण्ड एम. दिनांक 5 जून, 1986

का अधिग्रहण करते हुए कृषि मंत्रालय (कृषि और सहकारिता विभाग) में संयुक्त सचिव श्री के. राजेन्द्रन नायर को प्रागामी आदेशों तक सहकारी समितियों के केन्द्रीय रजिस्ट्रार के पद पर नियुक्त करती है।

[सं. एल. 11012/1/85-एल. एण्ड एम.]

प्रार. एस. हंसरा, अवर सचिव

## MINISTRY OF AGRICULTURE

(Department of Agriculture & Cooperation)

New Delhi, the 30th June, 1986

S.O. 2631.—In exercise of the powers conferred by sub-section (1) of section 4 of the Multi-State Cooperative Societies Act, 1984 (51 of 1984) and in supersession of the Notification of the Government of India No. L-11012/1/85-L&M dated the 5th June, 1986, the Central Government hereby appoints Shri K. Rajendran Nair, Joint Secretary in the Ministry of Agriculture (Department of Agriculture & Cooperation) as the Central Registrar of Cooperative Societies until further orders.

[No. L-11012/1/85-L&M]

R. S. HANSRA, Under Secy.

नई दिल्ली, 4 जुलाई, 1986

क्रा. प्रा. 2632.—कृषक भारती को-ऑपरेटिव लिमिटेड, नई दिल्ली (कृषाको) एक ऐसी राष्ट्रीय सहकारी सोसाइटी है जो बहुराज्य सहकारी सोसाइटी अधिनियम, 1984 (1984 का 51) की दूसरी अनुसूची में सूचीबद्ध है;

और उक्त सोसाइटी, कृषाको के निदेशकों में से एक निदेशक द्वारा फाइल की गई रिट याचिका पर माननीय उच्च न्यायालय, इलाहाबाद, द्वारा जारी किए गए रोक-आदेश के परिणामस्वरूप सहकारिता वर्ष 1984-85 के लिए अपनी वार्षिक साधारण बैठक 31 मार्च 1986 तक बढ़ाए गये समय तक कराने में असमर्थ रही है;

और उक्त माननीय उच्च न्यायालय ने तारीख 19 मार्च, 1986 को उक्त रोक-आदेश को वातिल कर दिया है;

अतः अब, केन्द्रीय सरकार, बहुराज्य सहकारी सोसाइटी अधिनियम, 1984 की धारा 99 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कृषाको को उक्त अधिनियम की धारा 30 और बहुराज्य सहकारी सोसाइटी (रजिस्ट्रीकरण, सदस्यता, निवेश और प्रबंध, विवादों का निपटारा, प्रवीण और पुनरीक्षण) नियम, 1985 के नियम 20, जहां तक उसका संबंध कृषाको के वार्षिक साधारण बैठक कराने से है, के उपबन्धों से 1 अप्रैल, 1986 से 31 मई, 1986 तक की अवधि के लिए छूट देती है।

[सं. 11011/8/85-एल. एण्ड एम.]

New Delhi, the 4th July, 1986

S.O. 2632.—Whereas the Krishak Bharati Cooperative Limited, New Delhi (KRIBHCO) is a national cooperative society listed in the Second Schedule to the Multi-State Cooperative Societies Act, 1984 (51 of 1984);

And whereas the said society has not been able to hold its Annual General Meeting for the cooperative year 1984-85 by the extended time upto 31st March, 1986 consequent on the stay order issued by the Hon'ble High Court of Judicature at Allahabad on a writ petition filed by one of the Directors of KRIBHCO;

And whereas the said stay order has been vacated by the said Hon'ble High Court on 19th March, 1986;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 99 of the Multi-State Cooperative Societies Act, 1984, the Central Government is pleased to exempt KRIBHCO from the provisions of Section 30 of the said Act and Rule 20 of the Multi-State Cooperative Societies (Registration, Membership, Direction and Management Settlement of Disputes, Appeal and Revision) Rules, 1985 in so far it relates to the holding of the Annual General Meeting of KRIBHCO for a period from 1st April, 1986 to 31st May, 1986.

[No. L-11011/8/85-L&M]

क्रा. प्रा. 2633.—केन्द्रीय सरकार, बहुराज्य सहकारी सोसाइटी अधिनियम, 1984 की धारा 99 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की धारा 29 और धारा 30 के उपबन्धों का, कृषक भारती को-ऑपरेटिव लिमिटेड, नई दिल्ली को लागू करने के लिए इस विस्तार तक उपांतरण करती है कि उक्त अधिनियम की धारा 29 की उपधारा (2) में, "उसके सदस्यों के साधारण निकाय में" शब्दों के स्थान पर "निदेशक बोर्ड में" शब्द रखे जाएंगे और उक्त अधिनियम की धारा 30 की उपधारा (1) में, "अपने सदस्यों का साधारण अधिवेशन निम्नलिखित प्रयोजन के लिए विहित रीति से बुलाएगी" शब्दों के स्थान पर "अपने निदेशक बोर्ड का अधिवेशन निम्नलिखित प्रयोजन के लिए विहित रीति से बुलाएगी" शब्द रखे जाएंगे। यह उपांतरण 30 जून 1987 तक प्रवृत्त रहेगा।

[सं. एल. 11015/3/79-एल. एण्ड एम.]

के. प्रार. नायर, संयुक्त सचिव,

S.O. 2633.—In exercise of the powers conferred by Section 99 of the Multi-State Cooperative Societies Act, 1984, the Central Government hereby modifies the provisions of Section 29 and Section 30 of the said Act in its applicability to the Krishak Bharati Cooperative Limited, New Delhi to the extent that in sub-section (2) of Section 29 of the said Act, for the words "in the general body of its members", the words "in the Board of Directors" shall be substituted and in sub-section (1) of the Section 30 of the said Act for the words "Call a general meeting of its members" the words "call a meeting of its Board of Directors" shall be substituted. This modification shall remain in force till 30th June, 1987.

[No. L-11015/3/79-L&M]

K. R. NAIR, Jt. Secy.

नई दिल्ली, 4 जुलाई, 1986

क्रा. प्रा. 2634.—केन्द्रीय सरकार पशु कृषा निगरण अधिनियम 1960 (1960 का 59) की धारा 5 की उपधारा (1) के खंड (अ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एल. एड. एम. आगा, संसद सदस्य (लोक सभा) को स्वर्गीय श्रीमती रुक्मणी देवी आनंदन के स्थान पर तत्काल से प्रागामी आदेशों तक भारतीय पशु कल्याण बोर्ड, के सदस्य के रूप में नामजद करती है। केन्द्रीय सरकार उक्त अधिनियम की धारा 5 की उपधारा (3) के सहित श्री एम. पी. आगा को तत्काल से प्रागामी आदेशों तक बोर्ड के अध्यक्ष के रूप में नामजद करती है।

[सं. 14-6/85-एल. एड. एम.]

एस. पी. वर्मा, प्रार सचिव

New Delhi, the 4th July, 1986

S.O. 2634.—In exercise of the powers conferred by clause (h) of sub-section (1) of Section 5 of the Prevention of Cruelty of Animals Act, 1960 (59 of 1960), the Central

Government hereby nominates Shri M. C. Daga, Member of Parliament (Lok Sabha) as Member of the Animal Welfare Board of India with immediate effect and until further orders in place of Late Smt. Rukmini Devi Arundale. The Central Government also nominates Shri M. C. Daga to be the Chairman of the Board with immediate effect and until further orders by virtue of sub-section (3) of Section 5 of the said Act.

[No. 14-6/85-LD.I]

S. P. VERMA, Under Secy.

(उर्बरक विभाग)

नई दिल्ली, 8 जुलाई, 1986

का.भा. 2635:—सार्वजनिक परिसर (अनधिकृत भौगोलिक क्षेत्रों की वैदिकी) अधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा पेट्रोलियम रसायन एवं उर्बरक मंत्रालय (रसायन एवं उर्बरक विभाग) में भारत सरकार का दिनांक 4 अगस्त, 1981 की अधिसूचना सं. का.भा. 2396 की प्रतिस्थापित करते हुए जिसमें इस प्रतिस्थापन से पूर्व किये गये कार्यों अथवा किये जाने के लिये छोड़े हुए कार्य सम्मिलित नहीं होंगे, केंद्रीय सरकार निम्नलिखित तालिका के कालम (1) में उल्लिखित अधिकारों को जो

सरकार के एक राजपत्रित अधिकारी के समस्त का अधिकारी है, उक्त अधिनियम के प्रयोजन के लिये सम्मदा अधिकारी नियुक्त करती है, जो उक्त तालिका के कालम (2) में निविष्ट सार्वजनिक परिसरों के संबंध में उक्त अधिनियम के द्वारा प्रदत्त अथवा अन्तर्गत सम्मदा अधिकारी को दी गई शक्तियों एवं कर्तव्यों को निभावेगा।

तालिका

अधिकारी का पद नाम	सार्वजनिक परिसर की श्रेणियाँ तथा क्षेत्राधिकार की स्थानीय सीमाएं
1	2
विधि अधिकारी, हिन्दुस्तान फर्टिलाइजर कार्पोरेशन लि., हल्दिया, प्रभाग	हिन्दुस्तान फर्टिलाइजर कार्पोरेशन लि. तथा उसके टाउनशिप का परिसर अथवा उनका या उनकी ओर से पट्टे पर लिया गया परिसर।

[का. सं. 88/8/86-एफ डी सी]  
अकील अहमद, डेस्क अधिकारी

(Department of Fertilizers)

New Delhi, the 8th July, 1986

S.O. 2635:—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of unauthorised occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) No. S.O. 2396 dated the 4th August, 1981, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the officer mentioned in Column (i) of the Table below, being an officer equivalent to the rank of Gazetted Officer of the Government to be estate officer for the purpose of the said, Act, who shall exercise the powers conferred, and perform the duties imposed on the estate officers by or under the said Act, in respect of the Public premises specified in Column (2) of the said table.

TABLE

Designation of the officer	Categories of Public Premises and local limits of jurisdiction
(1)	(2)
Law Officer, Hindustan Fertilizer Corporation Ltd. Haldia Division	Premises belonging to or taken on lease, or on behalf of the Hindustan Fertiliser Corp. Ltd. and its township.
[F. No. 88/8/86-FDC] Aqeel Ahmad, Desk Officer.	

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 4 जुलाई, 1986

शुद्धि-पत्र

का.भा. 2636:—भारत के राजपत्र, भाग II, खंड 3, उपखंड (1) तारीख 24 मार्च, 1984 के पृष्ठ 793 से 795 पर प्रकाशित भारत सरकार के भूतपूर्व शिक्षा और संस्कृति मंत्रालय की अधिसूचना सा.का. नि.सं. 325 तारीख 7 मार्च, 1984 में:

1. पृष्ठ 795 पर स्तम्भ II में

“केन्द्र सरकार के ऐसे अधिकारी” के स्थान पर “केंद्रीय सरकार के अधिकारी” पढ़ें।

2. पृष्ठ 795 पर स्तम्भ II के अधीन मद्र सं. 2 के “समकक्ष” शब्द के स्थान पर “समतुल्य” शब्द रखा जायेगा।

3. खण्ड (ख) में “सीधी भर्ती” शब्दों के स्थान पर “सीधे भर्ती किये जाने वाले व्यक्तियों” पढ़ें।

[का.सं. 1-7/82-प्रशा. /डी-3(एन)]  
एस.आर. सिंह, सहायक शिक्षा सलाहकार

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Education)

New Delhi, the 4th July, 1986

CORRIGENDUM

S.O. 2636.—In the notification of the Government of India in the Ministry of Education and Culture G.S.R. 325 dated the 7th March, 1984, published at pages 795 to 797

of the Gazette of India, Part II, Section 3, sub-section (1), dated the 24th March, 1984

1. at page 796, in column (7), the two notes may be read as "Note-I" and "Note-II" respectively;

2. At page 797, in column (11)—

(a) for "Officers of Central Govt.", read "(a) Officers of Central Govt.",

(b) in sub-clause (ii), for "equivalent", read "equivalent; and";

(c) in clause (b) for "direct recruitment", read "direct recruits";

[F. No. 1-7/82-Admn./D.3(L)]

S. R. SINGH, Asstt. Educational Adviser

### परिवहन मंत्रालय

(जन-भूतल परिवहन विभाग)

(नीवहन पक्ष)

नई दिल्ली, 14 जुलाई, 1986

का.आ. 2637—मासिक भविष्य निधि अधिनियम, 1966 (1966 का 4) की धारा 4 की उपधारा (3) के अनुसरण में मासिक भविष्य निधि स्कीम, 1966 के 44 वें पैरे के साथ पठित तथा भारत सरकार (नीवहन और परिवहन मंत्रालय) की 20 मार्च, 1981 की अधिसूचना संख्या एम.एस. डब्ल्यू(1)/79-एम.टी. के अधिनियम में केन्द्रीय सरकार एतद्वारा निर्देश देती है कि भविष्य निधि भण्डान अनिवार्य निर्गमनों द्वारा घटित ब्याज एवं अन्य प्राप्तियों संबंधी संवयनों का निम्न पद्धति के अनुसार निवेश किया जाएगा :—

(i) (क) किसी सार्वजनिक ऋण अधिनियम, 1944 (1944 के 18वें) की धारा 2 में यथा परिभाषित किसी भी राज्य सरकार द्वारा उद्घाटित और जारी की गई सरकारी प्रतिभूतियां।

(ख) अन्य कोई परक्राम्य प्रतिभूतियां जिनके मूलधन और जिन पर ब्याज की केन्द्रीय सरकार अथवा किसी राज्य सरकार द्वारा बिना शर्त के पूरी तरह गारंटी दी गई हो।

15% से कम नहीं

(ii) भारत सरकार, वित्त मंत्रालय आर्थिक कार्य विभाग की अधिसूचना संख्या एक 16(1)-पी.डी./75 दिनांक 30 जून, 1975 द्वारा प्रवर्तित तथा अधिसूचना संख्या एक 16(8)-पी.डी./84 दिनांक 12 जून, 1985 द्वारा यथा विस्तारित विशेष जमा राशि योजना।

85% से अधिक नहीं

2. विशेष जमा राशि योजना में निवेश करते समय उक्त निधि का प्रशासनिक प्रबंध करने वाला प्राधिकारी जमा राशि-कार्यालय को इस आशय का प्रमाण पत्र देगा कि सरकार द्वारा निर्धारित निवेश पद्धति का अनुपालन किया गया है।

3. 31 मार्च, 1986 तक प्रभावी पद्धति के अधीन किए गए पूर्व-निवेशों के परिपक्व होने के फलस्वरूप जहां कोई धनराशियां प्राप्त होती हैं वहां अनिवार्य निर्गमनों द्वारा घटित ऐसी धनराशियों का इस अधिसूचना में निर्धारित नई निवेश पद्धति के अनुसार निवेश किया जाएगा।

4. उपर्युक्त निवेश पद्धति 1 अप्रैल, 1986 से लागू हो जाएगी।

[सं. एस.टी. 14018/1/86-एम.टी.]

एस. सिंघल, अवर सचिव

### MINISTRY OF TRANSPORT

(Department of Surface Transport)

(Shipping Wing)

New Delhi, the 14th July, 1986

S.O. 2637.—In pursuance of sub-section (3) of Section 4 of the Seamen's Provident Fund Act, 1966 (4 of 1966) read with paragraph 44 of the Seamen's Provident Fund Scheme, 1966, and in supersession of the Notification No. MWS(1)/79-MT dated 20th March, 1981 of the Government of India (Ministry of Shipping and Transport), the Central Government hereby directs that accumulations out of provident fund contributions, interest and other receipts as reduced by obligatory outgoings, shall be invested in accordance with the following pattern, namely :—

(i) (a) Government Securities as defined Not less than in Section 2 of the Public Debt Act, ~~fifteen~~ 1944 (18 of 1944) created and issued per cent. by any State Government;

(b) any other negotiable securities the principal whereof and interest whereon is fully and unconditionally guaranteed by the Central Govt. or any State Government.

(ii) Special Deposit Scheme introduced Not exceeding by the notification of Government of ~~fifty five~~ India in the Ministry of Finance per cent. Deptt. of Economic Affairs No. F. 16 (1) PD/75 dated the 30th June, 1975, as extended by Notification No.

F. 16(8)-PD/84 dated 12th June, 1985.

2. At the time of making an investment in the Special Deposit Scheme, the authority administering the fund shall furnish a certificate to the deposit office, that the investment pattern prescribed by the Government has been followed.

3. Where any moneys are received on the maturity of earlier investments made under the pattern in force upto 31st March, 1986 such moneys reduced by obligatory outgoings shall be reinvested in accordance with the new investment pattern prescribed in this notification.

4. The above pattern of investment shall come into force with effect from the 1st April, 1986.

[No. ST-14018/1/86-MT]

S. SYNGHAL, Under Secy.

(रेल विभाग)

(रेलवे बोर्ड)

नई दिल्ली, 14 जुलाई, 1986

का. आ. 2638.—भारतीय रेल अधिनियम, 1890 (1890 का अधिनियम 9) की धारा 82 बी द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार 23-2-1985 को दक्षिण पूर्व रेलवे के मुसरा और अटकल्लार स्टेशनों के बीच 327 फुट पैसेंजर गाड़ी में हुई अग्नि दुर्घटना से उत्पन्न बावों को निपटाने के लिए जिला न्यायाधीश, दुर्ग, मध्य प्रदेश न्यायालय के अतिरिक्त न्यायाधीश श्री एस. के. तिवारी को तत्पर्य बाधा धार्युक्त के रूप में नियुक्त करती है।

[सं. 85/ई(ओ)/II/1/2

ए. एन. बांबू, सचिव

रेलवे बोर्ड एवं

भारत सरकार के पदेन सचिव



(Department of Railways)

(Railway Board)

New Delhi, the 14th July, 1986

S.O. 2638.—In exercise of the powers conferred by Section 82B of the Indian Railways Act, 1890 (Act IX of 1890), the Central Government hereby appoints Shri S. K. Tiwari, Addl. Judge to the Court of District Judge, Durg, Madhya Pradesh as Ad-hoc Claims Commissioner to deal with the claims arising out of the fire accident of 327 Up Passenger Train between Musa and Jatkanhar stations on S.E. Railway on 23-2-1985. His headquarters will be Durg.

[No. 85/E(O)II/1/2]

A. N. WANCHOO, Secy. Railway Board &  
ex-officio Addl. Secy. to the  
Government of India

हैं कि तारोख 1-8-86 से नासिक का संश्लिष्ट स्थायी क्षेत्र निम्न प्रकार होगा :—

मासिक टेलिफोन एक्सचेंज प्रणाली :

नासिक टेलीफोन एक्सचेंज प्रणाली के स्थानीय क्षेत्र के अंतर्गत नासिक नगर निगम का संपूर्ण क्षेत्र शामिल होगा जिसके संबंध में महाराष्ट्र सरकार की अधिसूचना सं. एन. सी. सी-1082/211 (i)-यू. डी. 21 दिनांक 22-10-82 में क्षेत्र अधिसूचित किया गया था। इसके प्रतिरिक्त वेधालासी सैन्ट बोर्ड का क्षेत्र भी शामिल रहेगा।

घरसे कि नासिक नगर निगम तथा देवलाची कैंप बोर्ड के माध्यम से टेलीफोन उपभोक्ता उस अवधि तक स्थानीय प्रचार अरा कर रहे जब तक कि इस प्रगाली के किसी एक्सचेंज से 5 कि. मी. को दूरी के भीतर टेलीफोन सेवा प्राप्त कर रहे हों और इस प्रगाली के साथ जुड़े रहें।

[पं. 3-7/84-पो. एच. बी.]

प्रदीप कुमार, निदेशक, फोन् (ई)

**संचार मंत्रालय**

(दस्संगर विभाग)

नई दिल्ली, 10 जुलाई, 1986

का. आ. 2619.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने मुद्रिपत्रक तथा विक्रयदि टेलेफोन केम्पों में तमिलनाडु में दिनांक 29-07-1986 से प्रयोजित वर प्रणाली लागू करने का निर्णय किया है।

[संख्या 5-26/86-पी. एच. बी.]

के. पी. शर्मा, सहायक महानिदेशक (पी.एच.डी.)

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 10th July, 1986

S.O. 2639.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 29-7-1986 as the date on which the Measured Rate System will be introduced in Mundiambakkam and Vikravandi Telephone Exchanges, Tamil Nadu Telecom. Circle.

[No. 5-26/86-PHB]

K. P. SHARMA, Asstt. Director General (PHB)

(दूरसंचार बोर्ड)

नई दिल्ली, 14 जुलाई, 1986

का. प्रा. १६४०—जबकि भारतीय तार नियम, १९५१ के नियम ४३४(iii) (२ सी) के अनुसार नाविक टेलीफोन एक्सचेंज प्रणालियों के स्थानीय क्षेत्र में संशोधन करने के लिए नाविक में प्रचलित समाचार पत्रों में एक सार्वजनिक नोटिस प्रकाशित करवाई गई थी, जिससे प्रभावित होने वाले व्यक्तियों से नोटिस के प्रकाशित होने के ३० दिन के भीतर आपत्तियाँ तथा सुझाव मांगे गए थे;

और जबकि उक्त नोटिस को दिनांक 1-3-1986 के मराठी भाषा के दैनिक समाचार पत्र "देशदूत", "गवकारी" तथा "रामभूमि" में जनता के ध्यान में लाया गया था।

और जबकि उपरोक्त नोटिस के संबंध में जनता से कोई सुझाव और प्राप्ति प्राप्त नहीं हुई,

अतः अब उक्त नियमों के नियम 434 (iii) (2 सी) में प्रदत्त शक्तियों का प्रयोग करते हुए महानिदेशक दूरसंचार विभाग घोषणा करते

Telecom Board)

New Delhi, the 14th July, 1986

S.O. 2640.—Whereas a public notice for revising the local area of Nasik Telephone Exchange System was published as required by rule 434 (III) (2c) of the Indian Telegraph Rules, 1951 in the Newspapers in circulation at Nasik, inviting objections and suggestions from all persons likely to be affected thereby, within a period of 30 days from the date of publication of the notice in the Newspapers,

And whereas the said notice was made available to the public on 1-3-1986 in the Marathi Dailies of "Deshdoot", 'Gavkari' and 'Rambhoomi':

And whereas no objections and suggestions have been received from the public on the said notice;

Now, therefore, in exercise of the power conferred by rule 434 (III) (2c) of the said Rules, the Director General, Department of Telecommunications hereby declares that with effect from 1-8-86, the revised local area of Nalik shall be as under:

## NASIK TELEPHONE EXCHANGE SYSTEM

The local area of Nasik Telephone System shall cover an area falling under the jurisdiction of Nasik Municipal Corporation as notified vide Government of Maharashtra Notification No. NCC-1082/211(i)-UD-21 dated 22-10-82 and Deolali Cantonment Board;

Provided that the telephone subscribers located outside the Nasik Municipal Corporation and District Cantonment Board limits shall continue to pay local tariffs as long as they are located within 5 kms. of any exchange of this system and remain connected to it.

[No. 3-7/84 PHB]

PRADEEP KUMAR, Director P<sup>h</sup>o<sup>n</sup>e (E)

**અમે મંત્રાલય**

नई दिल्ली, 4 जून, 1986

का.प्रा. 2641—औद्योगिक विवाह अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार महाप्रबंधक (ए) अथवा क्षेत्र, अथवा, डाक अथवा मैन. सी सी एल, हथारबाग के प्रबंधक से सम्बद्ध निरीक्षकों और उनके कर्मचारियों के बीच, अनुबंध में निश्चित औद्योगिक विवाह में केन्द्रीय सरकार आंशिक अधिकरण नं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार की 1 जनवरी, 1946 का संज्ञा है।

## MINISTRY OF LABOUR

New Delhi, the 4th July, 1986

S.O. 2641.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of General Manager (A) Argada Area, At Sirka, P.O. Argada of CCL, Ltd. and their workmen which was received by the Central Government on the 1st July, 1986.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 98 of 1986

In the matter of industrial disputes under Section 10(1)(d) of the I.D. Act, 1947

## PARTIES:

Employers in relation to the management of General Manager (A), Argada Area, Sirka and their workmen.

## APPEARANCES:

On behalf of the employers—Shri L. Prasad, Dy. P.M. (A).

On behalf of the workmen—Shri Yashwant Kumar Singh, workman concerned.

STATE : Bihar.

INDUSTRY : Coal

Dated, the 23rd June, 1986

## AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012(98)/85-D.IV(B), dated, the 30th January, 1986.

## SCHEDULE

"Whether the action of the Management of General Manager (A) Argada Area, at Sirka, P.O. Argada of CCL, Hazaribagh in dismissing Shri Yashwant Kumar Singh, Cat. I Mazdoor from service is legal and justified? If not, to what relief the workman concerned is entitled?"

In this case the workmen have already filed their W.S. Thereafter two adjournments were granted to the employers for filing their W.S. but ultimately when the case was fixed for filing W.S. by the employers on 19-5-86 Shri L. Prasad Dy. P.M. (A) appeared before me and filed a memorandum of settlement. I have gone through the terms of settlement which appears to be very fair and proper. Accordingly I accept the same and pass an Award in terms of the memorandum of settlement which forms part of the award as annexure.

Dt. 23-6-86

I. N. SINHA, Presiding Officer  
[No. L-24012/98/85-D.IV(B)]

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

In the matter of Reference No. 98 of 1986

## PARTIES:

Employers in relation to the Management of Argada Area, Sirka of Central Coalfields Ltd., P.O. Argada, Dist. Hazaribagh.

## AND

Their workman (Sri Yashwant Kumar Singh).

Joint Compromise Petition of Employers and Workman

(Sri Yashwant Kumar Singh)

The above mentioned employers and the workman concerned Sri Yashwant Kumar Singh, most respectfully beg to submit jointly as follows:—

- (1) That the Management and the workman concerned have recently negotiated the matter and have arrived at an amicable and mutual overall settlement on 30-4-1986. 7 copies of the said settlement and this joint application are being submitted before this Hon'ble Tribunal.
- (2) That in accordance with the aforesaid settlement the employers have already reinstated Sri Yashwant Kumar Singh w.e.f. 2-5-1986 and that the dispute stands fully settled and resolved in terms of the aforesaid settlement which both the Parties consider fair and reasonable for them.

In view of the above, both the Parties most respectfully pray that Hon'ble Tribunal may be pleased to give an award in terms of the aforesaid settlement.

Sd/-

Yashwant Kumar Singh,

Sd/-

workman concerned.

A. K. GULATI,  
General Manager (A)  
Central Coalfields Ltd.,  
Argada Area,  
Sirka, PO Argada,  
Dist. Hazaribagh.

Dt. the 3rd May, 1986

Ref. No. 1D/P/77/86/8642

MEMORANDUM OF SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF ARGADA AREA OF CENTRAL COALFIELDS LTD., SIRKA PO ARGADA, DIST. HAZARIBAGH AND SRI YASHWANT KUMAR SINGH EX. CAT. I MAZDOOR OFFICE OF THE GENERAL MANAGER, ARGADA CENTRAL COALFIELDS LTD., ON 30-4-1986

## NAME OF PARTIES:

1. Sri A. K. Gulati, General Manager, Argada Area, Central Coalfields Ltd., Sirka, P.O. Argada, Dist. Hazaribagh.
2. Sri N. P. Singh, Dy. Chief Personnel Manager, Argada Area, Central Coalfields Ltd., Sirka, P.O. Argada, Dist. Hazaribagh.

## REPRESENTING WORKMEN:

3. Sri Yashwant Kumar Singh, ex. Cat. I Mazdoor, Office of the GM (A), CCL, Argada Area, PO Argada, Dist. Hazaribagh.

## SHORT RECITAL OF THE CASE

Sri Yashwant Kumar Singh, Cat. I Mazdoor in the Office of the General Manager, Argada, Central Coalfields Ltd., was dismissed from service with effect from 13-5-1984 in connection with a disciplinary case initiated against him. Along with him another workman, Sri Sushil Kumar Sinha, UDC, GM(A)'s office, CCL, Argada Area was also dismissed as a result of a disciplinary case. Sri Yashwant Kumar Singh has represented to the Management through his representation dt. 25-4-86 (copy enclosed) that Sri Sushil Kumar Sinha's case was taken up by the United Coal Workers Union and that the Management agreed to reinstate him

subject to certain conditions. Sri Yashwant Kumar Singh has requested that the Management should deal with his case also on the same basis. The Management pointed out that since his case is pending before the Central Government Industrial Tribunal No. 2, Dhanbad vide Reference No. 93 of 1986 and that since it was initiated at the instance of that Union, he should come through that Union for a settlement. In reply he has stated that he was not a member of that Union and he had not authorized that Union to take up his case or represent him before the ALC (C), Hazaribagh or the CGIT No. 2, Dhanbad. He further pointed out that since this is an individual dispute, he is the only person who can enter into a settlement with the Management. The matter was further discussed by both the parties and Sri Yashwant Kumar Singh stated that if his case is dealt with and disposed of on the same lines as that of Sri Sushil Kumar Sinha, he would not contest the case before the CGIT No. 2, Dhanbad and that he will forego all his claims in the case pending before that Tribunal. Accordingly the matter was further discussed between the Parties on 30-4-86 and it was agreed to settle the matter on the following terms and conditions:—

#### TERMS OF SETTLEMENT

- (1) It is agreed that the Management will reinstate Sri Yashwant Kumar Singh in the post of Cat. I Mazdoor w.e.f. 2-5-86 without any back wages from the date of his dismissal (13-9-84) or grant of any other benefits for the period from 13-9-84 to 1-5-1986 except the benefit of continuity of service. The said period will be treated as a period of extraordinary leave without pay.
- (2) It is agreed that Sri Yashwant Kumar Singh on reinstatement as indicated in clause (1) above, will draw the same basic wage in Cat. I pay scale which he was drawing at the time of his dismissal and that his one increment in Cat. I pay scale will be withheld with cumulative effect with effect from 2-5-86.
- (3) It is agreed that the Management will have the right to transfer Sri Yashwant Kumar Singh to Barakakana Area of Central Coalfields Ltd., for posting in any of its units.
- (4) It is agreed that the above settlement is in full and final settlement of all the claims of Sri Yashwant Kumar Singh in the dispute now pending before the CGIT No. 2, Dhanbad and that copies of this settlement will also be forwarded and submitted to the CGIT No. 2, Dhanbad for disposing of Reference No. 98 of 1986 in terms of this settlement and giving an award accordingly.

#### SIGNATURE OF PARTIES

Sd/-  
(Yashwant Kumar Singh)

Sd/-  
(A. K. Gulati)  
General Manager, Argada Area,  
CCL, Sirka, PO Argada,  
Dist. Hazaribagh.  
(N. P. Singh)  
Sd/-  
Dy. Chief Personnel Manager,  
Argada Area, CCL, Sirka,  
PO Argada, Dist. Hazaribagh.

Dated this the 30th day of April, 1986.

Witness:

1. Sd/- Ram Sukpal Singh  
30-4-86
2. Sd/- Awadh Nath Singh  
30-4-86

To  
The General Manager,  
Argada Area,  
Central Coalfields Ltd.,  
Sirka, Distt. Hazaribagh  
Sir,

I have been approaching you, Dy. C.P.M., Argada and other officers for a long time in connection with my retri-

statement. I was dismissed from service w.e.f. 13-9-84 along with Sri Sushil Kumar Sinha, UDC. I understand that my case was taken up by the Communist Union, and that it was referred to the Tribunal at Dhanbad for judgement. I most respectfully beg to submit that I never authorised the Communist Union to take up my case and they have been managing in foul-play. I was not also a member of that Union. It has come to my notice that the same Union pressed the case of Sushil Kumar Sinha for reinstatement and an agreement was reached with the Management by that Union recently to give him employment again without back wages but only with continuity of service and on the same pay being drawn by him at the time of dismissal. It has also come to my knowledge that in that case the Management agreed to convert the dismissal into one of stoppage of one increment from the date of reinstatement. Since my case stands on the same footing as the case of Sushil Kumar Sinha, the Management should deal with my case also on the same basis. I am agreeable to my punishment of dismissal being converted into stoppage of one increment from the date of giving me employment again and I hereby forego my demand for wages since my dismissal. I want only continuity of service. I have also not authorised the Communist Union to fight my case before the Dhanbad Tribunal. I also assure you that I will not commit such misconduct in future and I regret for the earlier misconduct for which I was dismissed. After giving me employment again on the same basis as it was done in the case of Sri Sushil Kumar Sinha, the Management may transfer me to any other Area/Colliery. I humbly pray that you may find enough to sympathetically consider my case on human grounds. If my request is accepted I will not fight out my case before the Dhanbad Tribunal and forego my claim.

Yours faithfully,  
Sd/-  
(Yashwant Kumar Singh)  
Ex-Cat. I Mazdoor  
Dt. 25-4-86  
GM Office, Sirka.

Witness:—

1. Sd/- Eligible
2. Sd/- Illegible
3. Sd/- Suleman

का.प्र. 2642.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार व नेशनल कोल डेवलपमेंट कॉर्पोरेशन लिमि. व कोल माइन्स एथारिटी लि., बोकारो, झारखाली और काठगड क्षेत्र दरमंगा हाउस, रोपों के प्रबंधन से सम्बद्ध नियोजकों और उनके कामगारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, धनबाद के पंचाद की प्रशांशक कक्षा है, जो केन्द्रीय सरकार की 3-6-86 को प्राप्त हुआ था।

S.O. 2642.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Collieries of National Coal Development Corporation Limited and Coal Mines Authority Limited in Bokaro, Kargali and Kathara Areas and their workmen which was received by the Central Government on the 30th June, 1986.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 16 of 1974

#### PARTIES:

Employers in relation to the management of Collieries of National Coal Development Corporation Limited and

Coal Mines Authority Limited in Bokaro, Kargali and Kathara Areas, Darbhanga House, Ranchi.

AND

Their Workmen

PRESENT :

Shri I. N. Sinha, Presiding Officer

APPEARANCES :

For the Employers : Shri R. S. Murthy, Advocate.

For the Workmen : None.

STATE : Bihar : INDUSTRY : Coal.  
Dhanbad, dated, the 28th May, 1986

AWARD

The present reference arises out of Order No. L-2012/42/74-LR11, dated, the 18th December, 1974 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :—

"Whether the demand of the workmen of Collieries of National Coal Development Corporation Limited and Coal Mines Authority Limited in Bokaro, Kargali and Kathara Areas for inclusion of payment made at double the rate of wages for working on Sunday for the purpose of calculation of bonus under the provisions of the Payment of Bonus Act, 1965 is justified / if so, to what extent are the workmen entitled and from which date ?"

2. This reference was heard earlier by this Tribunal and the award was passed on 29-11-1975 holding that the demand of the workmen was not justified. Thereafter both the parties went in writ against the order in C.W.J. NO. 3677(K) and C.W.J. NO. 34077(K). Both the writ petitions were disposed of by order dated 3-10-83. Honble Judges allowed the writ petition filed by the workmen and the award was set aside and Honble Judges also allowed the writ petition filed on behalf of the management. However, the case was sent back to the Tribunal for fresh decision after hearing both the parties directing that the Tribunal shall allow the parties to lead evidence, if any. The matter remained pending after the case was remanded back to the Tribunal for a fresh decision as there was no Presiding Officer appointed by the Central Government in the Central Govt. Industrial Tribunal No. 1, Dhanbad. Recently the Central Government made notification appointing me as the Presiding Officer of the Central Govt. Industrial Tribunal No. 1, Dhanbad. as well. Thereafter I gave notices to the parties for hearing of the case. On 25-5-1986 the General Secretary of the union filed a petition submitting that the matter under reference has since been resolved by the management due to amendment in the Bonus Act, 1965 and as such, the workmen withdraw the dispute pending before the Tribunal.

3. In view of the fact that the matter has been resolved as stated by the workmen in their petition dated 25-5-1986 and they have prayed to withdraw their dispute. I hereby allow the union to withdraw the dispute and pass a 'no dispute' award in this case.

This is my award.

DI : 28-5 86.

I. N. SINHA, Presiding Officer.  
No. L-2012/42/74-LR11  
R. K. GUPTA, Desk Officer.

मई दिवसी, 4 जून, 1986

का.प्र. 2643 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वये, केन्द्रीय सरकार, वेस्टर्न कोलफील्ड्स लिमिटेड, धानपुरी, जिला शहदोल (म.प्र.) के बृहत्तर सब-एरिया के सब-एरिया मैनेजर के प्रबंधन से सम्बद्ध नियोजनों और उनके कार्रगारों के बीच, झुनसपुर में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाद को प्रणयित करती है, जो केन्द्रीय सरकार को 2 जून, 1986 को प्राप्त हुआ था।

New Delhi, the 4th July, 1986

S.O. 2643.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sub-Area Manager of Burhar Sub-Area of W.C. Ltd., Dhanpuri, Distt. Shahdol (M.P.) and their workmen, which was received by the Central Government on the 2nd July, 1986.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT, JABALPUR

Case No. CGIT/LC(K)/14/1983

PARTIES :

Employers in relation to the management of Sub-Area Manager of Burhar Sub-Area of Western Coalfields Limited, P.O. Dhanpuri, District Shahdol (M.P.) and their workmen (Shri Tun Tun Malik) represented through the Koyala Shramik Sangh (K.S.S.) M.P., Post Office Kurasa, District Surguja (M.P.).

APPEARANCES :

For Union—Shri L. N. Mathotra, Advocate.

For Management—Shri R. S. Nair, Advocate.

INDUSTRY : Coal

DISTRICT : Shahdol (M.P.)

AWARD

Dated : June 25, 1986

In exercise of the powers conferred by Clause (a) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government vide notification No. L-22011/50,82-D.III(B) Dated 11th May 1983 and corrigendum dated 25-1-84 referred the following dispute, for adjudication :

"Whether the action of the management terminating the services of Shri Tun Tun Malik with effect from 11-1-81 and posting at Chachai underground mine instead of Jamuna colliery was justified ? if so, to what relief is the workman concerned entitled ?"

2. Non-controversial facts of the case are that the workman, Shri Tun Tun Malik, was employed in the N.C.D.C. (now reorganised, redesignated as Western Coalfields Ltd.) for this area since 14-5-1968. At the relevant time he was posted as Head Security Guard at North Chirimiri Colliery under the Western Coalfields Limited. The Deputy Chief Secretary Officer, Nagpur, transferred the workman to Jamuna Colliery vide his order dated 29-8-1980 and the Manager North Chirimiri Colliery relieved him from duty on 4-9-1980. However, he was allowed to join his duties at Chachai Colliery on 15-9-1980 and later his services were terminated with effect from 22-1-81.

3. The case of the workman is that though he had made request to be transferred to Bhadra Colliery but he was transferred to Jamuna Collieries. He reported on duty at Jamuna Colliery on 12-9-1980 but he was not allowed to join by the Inspector, Security Guard and the Manager. He approached the Senior Security Officer and on his oral orders he joined at Chachai on 15-9-1980.

4. The workman thereafter represented to higher authorities for transfer to Jamuna Collieries and for three days' wages which were wrongly deducted for the alleged late joining. On this the Manager took offence, threatened him and stopped him from joining duty from 22-1-1981. He thereafter made several representations to the higher authorities, Labour Ministries, Prime Minister and the Asstt. Labour Commissioner but to no avail.

5. The case of the management is that on return to Jamuna Colliery Shri Tun Tun Malik was asked to report to Chachai under office order No. WCL/IGM(S)/SSO/SA/Est/2-80/8212-29 of Senior Security Officer Sohagpur Area after approval of the competent authority in order to better utilisation of man-power.

5. From 15-9-1980 to 22-1-1981 Shri Tun Tun Malik was not performing his duties satisfactorily. He was always reporting late for daily duties and leaving early. It appears that he was keeping somebody at Jamuna while his wife was residing in U.P. On 22-1-1981 he came very late on duty and when he was asked to explain he stated that unless he is allotted quarter at Chachai he will always come late. He went away and never returned.

7. The Manager, Chachai, vide his notice dated 26-2-1981 invited his attention to Standing Orders Clause 17(ii) and called him to report for duty immediately but he did not comply. Thus in view of the said standing Orders his services automatically came to an end and he is deemed to have abandoned his service. Remaining absent without leave or permission amounts to serious misconduct and since the applicant was not available for domestic enquiry the management was left with no choice except to intimate him the legal position by their letter dated 6-6-1981.

8. As far as the posting is concerned, it is a purely managerial action and cannot be treated as an industrial dispute within the meaning of Sec. 10 of the I.D. Act.

9. In support of its case the management has examined Shri S. R. Singh (M.W. 1) Deputy Colliery Manager, Chachai. He has stated that on 21-1-1981 the applicant had come late. He had pointed out to him the instructions etc. and warned him that if he persists disciplinary action will be taken against him. Thereafter he never attended his duties. He had not left any address. Therefore, he was noticed on the address given in the Form B Register. He has proved the documents. Ex. M/1 is the notice dated 26-2-1981 intimating him about the Standing Orders and asking him to report on duty immediately. Ex. M/2 is the postal certificate on his Bihar Address. Ex. M/3 is dated 26-2-1981 the complaint of the Manager about the absence. Ex. M/4 dated 6-6-81 is the termination order so called the intimation about the Standing Orders Clause 17(ii). Ex. M/5 is stated to be postal receipt of the registered letter.

10. Shri S. R. Singh in his cross-examination has admitted that Ex. M/1 appear to have been sent under certificate of posting. He has also admitted that there is nothing on record to show that applicant was coming late and that he was warned for coming late. He also admitted that Ex. M/4 was sent on his home address by registered post but its acknowledgment or refused letter is not with the management.

11. Thus it appears that firstly there is nothing on record to prove the allegation of the management. Even the Token Clerk who was recording attendance and who is still in service has not been examined. As for the notice, it appears that they were not properly served on the applicant himself or sent on his proper Chachai address where he was alleged to have been residing with some woman.

12. On the other hand, the applicant workman gave his statement and proved documents Ex. W/1 to Ex. W/18. Some of these documents are important to be mentioned. In view of the fact that he is alleged to have absented himself with effect from 22-1-1981. Letter Ex. W/9 dated 23-1-1981 on the very next day was written by the applicant to Regional Labour Commissioner and other higher authorities. The postal receipts of which are Ex. W/9A to Ex. W/9H dated 24-1-1981. Then again on 24-1-1981 he wrote to the Prime Minister with a copy to Law Minister, Chief Security Officer, Nagpur and to Labour Commissioner of which the postal receipts are Ex. W/10A to Ex. W/10C to which Prime Minister replied vide Ex. W/11 dated 31-3-1981 and the Labour Minister vide reply dated 2-4-1981. In this connection, it is pertinent to note that A.L.C. vide his letter dated 21-8-81 (Ex. W/15) wrote to the Sub-Area Manager that on the applicant's representation he had requested the management for comments vide his letter dated 27-11-80 and also issued subsequent reminders dated 31-1-81 and 27-1-1981. The applicant has again raised a dispute vide his letter 1-8-1981. Therefore they should come up for joint discussion on 14-9-1981 at Shahdol. The applicant has also proved registered letter Ex. W/17 and Ex. W/16 respectively dated 17-7-1981 and 18-6-1981.

13. All these correspondence would go to show that the plea that he himself absented from duty and was not available for domestic enquiry and notices is not proved. He has been prosecuting his case with all his might throughout this period for redress. Therefore it is not proved that the applicant

absented himself from duty within the meaning of Clause 17(ii) of the Standing Orders for a period of 30 days. Thus his termination amounts to retrenchment within the meaning of Section 2(oo) of the I.D. Act, in spite of the fact that it may have been done under Standing Orders as has been laid down in the case of Factory Manager, C.I.M. Manufacturing Co. Ltd Vs. Nareesh Chand (1985 Lab. I.C. 941) by the High Court of Madhya Pradesh in the following words —

"...in view of the catena of Supreme Court decisions termination of service under Standing Orders 11 also will come within the mischief of retrenchment as defined under Section 2(oo) and unless S.25F is complied with the termination will be void."

14. It is not a case of the management that they had complied with the provisions of Sec. 25F of the I.D. Act and paid him one month's salary in lieu of notice and the retrenchment compensation. Thus the order of retrenchment being illegal is liable to be set aside.

15. The question arises whether the management is to be given an opportunity to prove misconduct before this Tribunal. I have gone through the records and I find that my learned predecessor has already afforded an opportunity to both the parties to prove or disprove the misconduct and my findings on the same are above. Therefore the justice did not require any further opportunity to the management.

16. The normal rule is that on reinstatement the applicant is entitled to full back wages unless the management proves his disqualification. Management led no evidence or suggested any circumstance why he should not be allowed full wages with all the ancillary reliefs.

17. As far as the question of his posting is concerned the management is right when it says that it is a managerial function and it cannot be treated as an industrial dispute. Therefore I need not comment on the question of posting.

18. In view of my findings above I answer the reference and pass this award as under :—

That the action of the management terminating the services of Shri Tun Tun Malik with effect from 22-1-1981 is not justified and he is entitled to be reinstated with effect from 22-1-1981 with full back wages and with all ancillary reliefs. As for as his posting at Chachai underground mine instead of Jamuna Colliery is concerned, it appears to be a managerial function, as such appears to be justified. Management will also pay costs of Rs. 20 to the workman.

V. S. YADAV, Presiding Officer.  
[No. L-22011/50/82-D.III(B)]

25-6-1986.

का.प्र. 2644 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसूर रासी सीमेंट लिमिटेड, विश्वनपुरम (बादपल्ली) जिला नालगोंडा (आन्ध्र प्रदेश) के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक प्रतिक्रिया, हस्तक्षेप के पंखा को प्रकाशित करती है, जो केन्द्रीय सरकार को 30 जून, 1986 को प्राप्त हुआ था।

S.O. 2644.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s Raasi Cement Ltd., Vishnupuram (Wadapally), Distt. Nalgonda (A.P.) and their workmen, which was received by the Central Government on the 30th June, 1986.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Industrial Dispute No. 107 of 1984

BETWEEN

The Workmen of Raasi Cement Limited, Vishnupuram, Nalgonda.

AND

The Management of M/s. Raasi Cement Limited, Vishnupuram, Nalgonda District.

## APPEARANCES:

Sri C. Bhisnapathi, Advocate— for the Workmen.  
Sri A. Krishna Murthy and Sri P. Nageswara Sree, Joint  
Hon. Secretaries of A. P. Federation of Chambers  
of Commerce and Industry, Hyderabad—for the  
Management.

## AWARD

The Government of India, Ministry of Labour and Rehabilitation by its Order No. L-29012/21/83-D. III(B) dated 13-12-1985 referred the following dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workmen and Management of Raasi Cement Limited, Vishnupuram for adjudication to this Tribunal:

"Whether the action of the management of Messrs Raasi Cement Limited, Vishnupuram (Wadapally), Dist. Nalgonda in terminating with effect from 5-2-1983 the services of Shri M. Appala Chary, Auto Electrician-cum-Wireman, Mines Department, workman is justified? If not, to what relief is the workman concerned entitled?"

This reference was registered as Industrial Dispute No. 107 of 1984 and notices were issued to the parties.

2. This is a claims statement filed by the Workmen represented by Raasi Cement Factory Employees and Contract Labour Union, Nalgonda seeking to decimate the order of termination dated 1-2-1983 which came into effect from 5-2-1983 served upon M. Appalachary, Auto Electrician-cum-Wireman as illegal and invalid and also to reinstate him with full back wages and other attendant benefits.

(a) It is mentioned that the Petitioner Trade Union is a registered union under the provisions of Trade Union Act and the Workmen M. Appalachary is actively associated with the Trade Union activities of the Petitioner Union. It is mentioned that this M. Appalachary was interviewed for the post of Auto Electrician-cum-Wireman by issuing notice dt. 25-6-1982 and he was selected by the Selection Committee. He was appointed from 20-7-1982 as Auto Electrician-cum-Wireman. He was also discharging duty to the entire satisfaction of his superiors. But the workman was active member of the Petitioner-Union and thus Management was not relishing his activities in connection with the union and welfare of the workman. They were issuing memos to the workman on one ground or the other. On 6-1-1983 the Management alleged a number of misconducts which were not connected with the duties of the workman. However workmen submitted his explanation denying the said misconducts. But the Management without considering their explanation or even conducting an enquiry into the alleged misconduct terminated his services by an order dt. 1-2-1983 which came into effect from 5-2-1983 in the guise of exercising power under Clause 2(b) of the appointment order. The Petitioner-Union took up the case of the workman and approached the Conciliation Officer (Central) and ultimately the matter was referred to this Tribunal.

(b) The termination done by the Management in the guise of termination of probation is illegal and it is an act of victimisation and unfair labour practice. As mentioned earlier he was discharging his duties satisfactorily and he was victimising for his trade union activities, and the action is punitive in nature and the Management without conducting an enquiry into the alleged misconduct in the Memo dated 6-1-1983 terminated the services from 1-2-1983. In fact the management has taken a bond from the workman that he has to serve the company for a period of three years. The Management cannot terminate during the contracted period of service. The termination is not bona fide and the same is vitiated and ab initio void. The workman is un-employed since then. Therefore he should be reinstated with back wages.

3. The Management filed a counter stating that the allegation in the claims statement is neither true or correct and the same are denied. The reference itself is null and void and it is liable to be set aside. The Petitioner being probationer has no right or lien over his appointment and he cannot claim any reinstatement as a matter of right. Therefore the present reference is liable to be rejected on this ground alone. The Petitioner joined duty on 24-7-1982 on a consolidated salary of Rs. 800.00 per month having been appointed for probation for one year as Auto Electrician-cum-Wireman. Even during

the first few months it is noticed that he was not suitable by the Mines Manager and Foreman. However he was advised to improve his work. The workman was constantly instructed to carry out maintenance and repairs of the heavy vehicles, machinery like Shovels and Dumpers during day hours to ensure proper functioning of the heavy equipments. On 17-9-1982 the workman assembled a battery to the Shovel No. 1 without even filling it with the distilled water which caused its damage. Therefore he was served with a warning memo drawing his attention on his failure on his part to follow instructions in respect of the maintenance of the electrical fittings etc.

(a) The workman joined as probationer on 24-7-1982 and the management drawing his attention to the instructions served on 17-9-1982. The management could have dispensed with the service of the workman for inefficient act committed by him. Yet tolerated him. There were number of complaints from his superiors as to his performance stating that he was not showing any improvement or interest in his duties despite of their best efforts to hold him and co-operate him to improve his work. Therefore after giving him reasonable and fair opportunity to correct himself the management terminated him from 5-2-1983 as he was found unsuitable. The action of the Management in terminating the probationer Appala Chary is therefore legal, valid and bona fide and justified.

(b) It is interesting to note that the workman raised an industrial dispute simultaneously both before the authorities under State Government and Central Government. Both the Government after considering these facts of the case declined to refer the case for adjudication either to the Labour Court or Industrial Tribunal. Finally it looks as if the Central Government was pressurised to refer the matter for adjudication by the Petitioner's Union and thus reference is brought to this Tribunal. It is not correct to say that he was discharging duties satisfactorily. It is not true that the workman is an active member of the Petitioner's Union and that the Management did not relish it.

(c) The order of termination passed by the Management is a simpliciter termination and no misconducts are alleged against the workman and therefore the question of conducting an enquiry did not arise. He is only a probationer and he can be terminated without assigning any reasons or notice before he completes his probation. It is further submitted that the Respondent management lost confidence in the workman and cannot repose any confidence in him. Therefore even if for any reason this Tribunal comes to the conclusion that the workman is entitled to any relief, no relief of reinstatement may be granted and the relief of compensation may alone be granted. It is understood that workman M. Appalachary profitably engaged and therefore this petition is filed to harass the management.

4. The workman examined two witnesses as W.W.1 and W.W. 2 and marked Exs. W1 to W17 documents on their side to support them. The Management also examined two witnesses as M. W1 and M. W2 and marked Exs. M1 to M6.

5. W. W1 is the Petitioner himself. He filed the advertisement of the Management as Ex. W1 and the letter of interview given to him as Ex. W2. According to him Ex. W3 is the appointment order and they mentioned originally the salary at Rs. 756.00 per month during the period of probation and when he objected and it corrected as Rs. 800.00 and the Works Manager initialed it. According to him subsequently they wanted him to execute an agreement stating that he would work with them for three years as per Ex. W4. He mentioned that in case they gave him Rs. 1,200.00 per month he will execute the agreement as required by them and told then he would otherwise execute the bond. According to him the Management corrected the salary from Rs. 750.00 to Rs. 800.00 on Ex. W3 and when he said like that, According to him Raasi Cement having two unions one is Raasi Employees Union with General Secretary Subba Raju and Raasi Cement Factory Employees and Contract Labour Union with General Secretary A. Rangiah, and he is the member of later union of which A. Rangiah was the general secretary. It is also his case that he became the Executive Member of the said Union. He pointed out that on 16-1-1983 the Management gave a Memo alleging that the lapse in the performance of his duties and he gave explanation under Ex. W5 stating that he is not at all responsible for the alleged lapses. According to him without conducting even an enquiry on 6-2-1983 they

issued a termination order as per Ex. W7 and he was terminated w.e.f. 5-2-1983. The representation given by him to the Assistant Labour Commissioner, Central are marked as Exs. W8, W9 & W10 stating that he was victimised for his Trade Union activities and the Union also taken up his case. Ex. W11 dated 18-3-1983 stating that he was victimised for union activities with the Management. It is his case that the Assistant Commissioner of Labour conducted the meeting as per Ex. W12 the Government refused to refer the matter to Tribunal as per Ex. W13. When the Union again represented under Ex. W14 that W.W1 dispensed for Union activities then the matter was referred to this Tribunal. According to him after he was terminated he was employed as Casual labour in Durga Cement Works which is nearby but the Management wrote to them that he is dismissed employee for union activity. Therefore Durga Cement Works also terminated his employment. According to him in his place the Management appointed A. Ram Babu after he was removed from work as Auto Electrician-cum-Wireman. He also mentioned that number of workers who are connected with the union activities like Md. Abdul Ghani, K. Ramulu, G. Sambhila and A. Venkat Rao were also terminated for their union activities. He denied that the work was not satisfactory. He mentioned that he received the original Ex. M1 wherein it was mentioned that he failed to check the machinery thoroughly and that on a particular time there was no distilled water in the battery resulting in damage. After seeing Ex. M2 stated that the State Government refused to refer the matter for adjudication and he denied that he was sneaking falsely.

6. W.W2 A. Rangiah is the Secretary of Raasi Cement Factory Employees & Contract Labour Union. According to him there were election of their union on 20-11-1982 and Ex. W15 is the photostat copy of the said letter showing the office bearer and Ex. W16 is the acknowledgement it from the Management. According to him under Ex. W15 Appalachary Auto-Electrician-cum-Wireman is elected as Executive Member. Similarly Abdul Ghani who was also active member of the Union was terminated and similarly one Ram Babu who is Organising Secretary who also been terminated being the union member and their case already number as I.D. No. 75 of 1984 and I.D. No. 106/84 and in this context Ex. W17 is the copy of the Press report in Naradavani. He mentioned that there is victimisation and unfair labour practice adopted by the Management. He denied the suggestion that these workers were dismissed for their misconduct as per law.

7. M. M1 is one V. Balu Rao Senior Mines Manager in Raasi Cement. According to him Appalachary was appointed on 24-7-1982 on a salary of Rs. 800.00 per month. He is meant for repairing self-starters, Dynamos, lighting etc. and for repairing of heavy moving machinery in the first few months. He was not able to check the lights as self-starters and dynamos. On 17-9-1982 it was found that battery which was not filled with distilled water by the delinquent resulted in damage and memo as per Ex. M1 was issued. According to him on 4-1-1983 he was orally warned for not cleaning handling units, Dumpers and self-starters and similarly on 27-1-1983 he was given another armature regulator and he was asked to attend to them but he could not repair them. Diesel Foreman complained on 29-1-1983 under Ex. M3 and he made also remark on that he is unsuitable for the job and suitable action should be taken and later his services were terminated.

8. M. W2 is the Deputy Manager Personnel, Raasi Cement Factory, Vishnupuram. He proved Ex. W3 as the appointment order given to the workman and showing that he was kept on probation for one year. According to him as he was not found suitable he was terminated. The Government of Andhra Pradesh rejected the matter for adjudication on the reference by the Assistant Commissioner of Labour, State Government, vide Ex. M2. Then the matter was raised for conciliation through the Assistant Commissioner of Labour (Central) and the Central Government also refused to the first instance to refer the matter as per Ex. W13 and without giving any fresh notice the Central Government again referred the matter to the Tribunal and no opportunity was given to the Management to represent its case before it is referred for adjudication to this Tribunal. According to him Appalachary after his termination in their factory was employed in Andhra Cement Limited is their other concern of Durga Cement Limited, Srisagar, Guntur District and Exs. M5 and M6 are the letter and cover written by Appalachary from Srisagar to our factory to settle his accounts.

9. Admittedly as mentioned by M.W1 M. Appalachary was appointed as Auto Electrician-cum-Wireman after calling for an interview having advertised for the post of Electrician. The advertisement calling for application Ex. W1 dated 19-5-1982 and Ex. W2 is a letter given to him asking to appear for the interview for the post of Auto Electrician on 25-6-82 basing upon his application to be present on 12th July, 1982. Ex. W3 is the appointment order given to him as Auto Electrician-cum-Wireman basing upon his application and subsequent interview with certain terms and conditions specified therein. They promised to pay him Rs. 750-800 when the appointment order was showed. It was only for Rs. 750.00 it was corrected to Rs. 800.00 also, Ex. W4 is the certified agreement taken by the employer with the employee. It is mentioned that as per Ex. W3 dated 20-7-1982 that he was kept on probation for a period of one year which can be extended for further period/periods at the discretion of the Company and he is expected as per service agreement to carry out duties as assigned to him from time to time. Further as per Ex. W4 service agreement the employee shall remained in the service of the employer for a period of three years from the date of joining provided that the first 12 months of such service shall be recorded as period of probation and within that period the employer had a right to terminate this agreement without any notice and without assigning any reason if the employer is not satisfied with the employer or his service. Now the Management's case is as per Ex. W7 dated 1-2-1983 his probation was terminated with effect from 5-2-1983 on the ground that he is found not suitable. Of course they mentioned that in the letter of appointment also that they intimated to him that he is liable to be terminated without any reason or notice or wages in lieu thereof if he is not found suitable. So the Management's case is that this termination is simpliciter and that no rights shall accrue to him under the I.D. Act. It is their case that the said termination is valid and legal, bonafide and justified. According to them even during the first few months it was noticed that he was not suitable and he was warned orally by the Mines Manager and Foreman and then when he is asked to repair the lights and other technical fittings to Shovel and Dumpers, the same were not attended by him as per the instructions and the battery was damaged on 17-9-1982 which was entrusted for repair. He did not even as Electrician filled with distilled water before it was assembled and he was given a memo on 17-9-1982 and even thereafter wards they gave an opportunity to him to improve upon his work and he did not improve in the job inspite of their best efforts as the Management was receiving complaints about his technical competences they decided to terminate his probation. On the other hand the workers case is that on 6-1-1983 a Memo was issued to him as per Ex. W5 stating that he was negligent in his duties and the Dumpers were found not properly working condition and that he failed to set the min good conditions and that he replied under Ex. W6 stating to the letter dated 6-1-1983 under Ex. W5 stating that he was conducting his duties well and that the Dumpers were not functioning properly and new batteries are required and he brought to the notice of the Mines Manager regarding the same. Ex. W7 is the termination notice. It is dated 1-2-1983 and the same was to be given effect from 5-2-1983. According to the workmen this order was done as Appala Chary was elected as Executive Member of the Union, under Ex. W15. Ex. W15 is dated 28-12-1982. So it is also his case incidentally that the President and General Secretary are outsiders and another worker Ramulu is the Assistant Secretary of the Union was also dismissed and it is the subject matter of the dispute in I.D. No. 75/84 and that when his probation was to end on 23-7-1983 he is terminated for his Trade Union activities and therefore this is unfair labour practice. According to workmen one week before the Memo of termination he was elected as Executive Committee Member and without any notice his probation was terminated and they did not follow any Standing Orders and procedure for such termination. It is his case that he was expected to serve the Company for three years as per agreement and therefore there can be no probation as the period of contract is three years. It is incidentally contended that having fixed 12 months probation they have no right to terminate before completing 12 months. I do not think that a person who is appointed on probation cannot be terminated for unsatisfactory service even if he is interviewed and appointed for a specific period as per service agreement. The Management relied upon the deci-



sion reported in EXPRESS NEWSPAPERS v. LABOUR COURT, MADRAS (1964 (I) LLJ, page 9). It was a case where the appointment was made for the first instance on probation for six months and it is mentioned that during that period if they find him satisfactory and suitable they will confirm him. But his appointment was terminated on the ground that his work was found unsatisfactory. It is laid down in that connection that the Labour Court gave a finding that the same was done as a sort of victimisation for his Trade Union activities. I do not think that on mere election as an Office Bearer one week before the termination order he comes to be recognised as Trade Union activists. In the instant case he was first appointed on 20-7-1982 and he was terminated from 5-2-1983 as per Ex. W7. So he did not even complete probation period as specified. In the meanwhile the Management gave Ex. W5 notice and there is evidence through M. Ws. 1 and 2 that his work was found unsatisfactory and it is dated 6-1-1983 and even before that as per M. W1 even the first two months itself there were some mistake committed by him as per Ex. M1. Ex. M1 would show that as early as 17-9-1982 he was intimated that the Dumper was getting stopped very frequently and the battery of the Shovel was not assembled with distilled water and he was warned and asked to improve. By the date of Ex. M1 his election as office bearer under Ex. W15 dt. 28-12-1982 did not arise. The election as Executive Member was three months later. Even in the explanation given by him under Ex. W6 and in Ex. W5 memo there is no whisper that he was being victimised for Trade Union activities since he was elected by that date as office bearer. Moreover the evidence of M. W1 would show that on 19-1-1983 he was given dynamo armature fuel coil etc., for repairing and even after one week he could not repair and he was a complaint given by the Diesel Foreman on 29th January, 1983 under Ex. M3. Ex. M3 is dated 29th January, 1983. Of course this is after the election. It is mentioned that Appala Chary is callous in performing his duties and M.W1 made remarks on original of Ex. M3 stating that the person is unsuitable for the job and suitable action should be taken and he was terminated from service from 5-2-1983. Therefore when there are grounds to terminate his probation on the ground of unsatisfactory service and non-suitability for the job during the period of probation before it is completed, the workman cannot complain that he was expected to serve the company for three years as per agreement under Ex. W4 and therefore his probation cannot be terminated without completing 12 months. From Ex. W3 the letter would show that the probation is likely to be extended further period/periods at the discretion of the Company and that during those periods his services are likely to be terminated without assigning any reasons and only on satisfactory completion of his probation if he is found suitable he will be confirmed in writing. Thus Ex. M1, W5 and M3 and the original oral evidence of M. Ws. 1 and 2 would show that M. Appala Chary was found unsuitable and his work was unsatisfactory. Therefore on correct appreciation of facts his termination must be held that it is based upon not properly working even during the time of probation. So I am not able to accept the contention of the workman counsel that the employee was victimised for his Trade Union activities. First of all there is no evidence that he had done trade union activities to the detriment of the Management so as to take the same as a ground for victimisation and mere election as an office bearer will not be deemed to be ground for victimisation without proper proof. The Management cannot be held guilty in such a vague manner. Even before he was elected as an office bearer there were complaints of unsatisfactory duty and unsatisfactory service. Therefore it is when his termination is done and even before the period of completion of probation as per Clauses of appointment on the ground of unsatisfactory service with proper material cannot be said that such termination falls within the facts as mentioned in the particular case but it had no application. In *Agra Electric Supply Company Limited v. Alladin And others* (169 (II) LLJ, page 540) It was a case arising under Industrial Employment (Standing Orders) Act regarding the service condition. On a previous case when the matter was referred regarding the retirement of some workmen on reaching the age of superannuation fixed under the certified Standing Orders the Labour Court held that such provision in Standing Order did not apply to every workmen who joined service of the establishment before certification of Standing Orders. But the same was held to be erroneous and the same was set aside and it was held, could not operate as res judicata in the subsequent dispute

between the employer and another set of employees retired. Shri Bikshapathi relying upon this wanted to contend that they should have followed the Standing Orders and procedures for such terminations and when they did not follow the Model Standing Orders termination cannot be styled as discharge simpliciter and it amounted to termination by way of disciplinary action. As already held by me the evidence of M. W1 and M. W2 who were supervising his work as well as the material placed before me which show that his work was quite unsatisfactory from the inception of his appointment as probationer within two month and that the Management gave number of opportunities to rectify his defects and yet he did not mend himself. It is born out by record and therefore it cannot be said that the Model Standing Orders were followed in the instant case. The contention that once a person is appointed in permanent vacancy that no action cannot be taken without conducting the enquiry till probation is completed for unsatisfactory service is not pronounced by any Court in such clear terms. This Tribunal is a fact finding one and the facts before me would show that he was elected as mere as Executive member among many others if himself and another Raghun or an Abdul Ghani were dismissed as is contended that it cannot be said that the Management started victimisation automatically on their election that is far fetched and unbelievable. Even if there is some evidence to show that after being elected as office bearers they tried to do some act in the interest of the union for the benefit of workers and the Management took same as a kind of motivation for terminating them there will be some material to them that the management is attempting to do unfair labour practice. In the instant case the workman himself did not pleaded any of his replies when the explanations called for that he is being victimised. Infact the explanations were called for even before he was elected as office bearers.

10. Sri Bikshapathi also relied upon the decision reported in *T.S. Chandrasekariah v. Kannaaka Road Transport Corporation* (1979 (II) LLJ page 108). The question arose whether when a probation is discharged whether principles of natural justice required that he should be given notice and that he should be enquired into. Infact the judgement itself showed that it is not necessary to give an opportunity to the petitioner as there was proved misconduct during the period of probation. In the instant case also the same thing has happened therefore it cannot be said that the Management had done anything wrong.

11. It is nextly contended that there are two sets of contract service order, one arising under Industrial Disputes (Standing Orders) Act and the other actual service agreement i.e. W4 and which will prevail over the other. According to him the Management is applying Model Standing Orders Schedule I and if so for a probationer. It is desired that three months service therein is prescribed and once he completed three months he becomes permanent. So any termination subsequent to three months if done must be by way of disciplinary action and therefore under Clause 13 one month's notice and one month's notice pay are required. In the instant case the same thing was not followed if Model Standing Orders are applied because by the time of his termination he completed about 7 months and three months is the period of probation under the Model Standing Orders. The very order of termination would show that they were referring to the letter of appointment dt. 20-7-1982 under Ex. W2. Therefore it is only contract of service agreement under Ex. M2 and Ex. W3 the Management tried to act upon the service condition issued to him and not on the Model Standing Orders. The Workmen Counsel relied upon the decision reported in *UNION OF INDIA & OTHERS v. ARUN KUMAR ROY* (1986 (III) LLJ page 290) Under the Central Civil Services (Temporary Service Rules) 1965 as amended in 1971 the Government servant appointed on temporary basis and put on probation if he is terminated before the expiry of the probation without having one month's salary and allowances, the question arose whether the terms at the time of appointment will prevail over the Statutory Rules and the Court held that the termination under the order of appointment cannot be availed of by relying on the original terms of contract of notification and rule of estoppel cannot be Pleaded. First of all it was a case where Stores Officer in the Zoological Survey Department was posted on probation for two years was further decided to be extended for a further period of two years a memo was issued conveying the decision of the Government to extend the period of probation and



two days late the service of the Stores Officer was terminated with effect from the day prior to the expiry of initial period of probation. It is quite clear on the face of it that it is victimisation and that it attracted the service condition. In the instant case only on completion of satisfactory service he will be made permanent and he did not show any satisfactory service or suitability for the job even from the beginning and therefore the question of extending his probation or ordering him to be made permanent and thereby the same did not arise is far beyond expectation his work was unsuitable and unsatisfactory. Therefore it had no application.

12. The next point argued by the learned counsel for the workmen is that it is a clear case of victimisation and unfair labour practice and it is tainted with the motivation for this. They relied upon Ex. W17 which is said to be printed paper showing all sorts of allegations against the Management. Ex. W17 is said to be a paper publication 'Nardhawan' criticising the management and the same is an example to show that it is a case of victimisation and unfair labour practice. Infact the same paper also made some allegations against the present Chief Minister on the last page that does not mean that the allegations made against the Chief Minister are correct or the allegation made against the Management are correct. The Editor or the Author are the special correspondent who wrote that article should have been examined to show regarding the truth of veracity of the averment and when the same was not forthcoming any dam paper that is published with some printed material damaging once reputation cannot be taken as a gospel truth to hold that there is something bad or good in the management or the workers. So Ex. W17 had no relevance to hold that there is victimisation.

13. The next argument raised by the Counsel for the Workmen that he was removed with mala fide intention for his Trade Union activities but the same is not proved. The oral evidence of M. Ws. 1 and 2 as well as Exs. M1, M3 and W5 would justify that there is material to show that the job is not performed properly and satisfactorily and therefore he is found unsuitable to the job and it is simpliciter termination for unsatisfactory work. Further it is his own admission that he secured alternative employment in the opposite Cement Company called Durga Cement and he was there for about one year and on the Management influencing the new Management where he was working, they terminated him. It is still worse. It is surprisingly after one year when he was terminated at Durga Cements he is not moving any relief under the I.D. Act whereas under the terms of agreement and appointment when his work was found unsatisfactory and when he is not suitable to the job when he is terminated with 12 months period he is trying to say that this management influenced the other management Except his oral statement, there is no other evidence for them.

14. Therefore on a careful consideration I hold that the action of the Management of Raasi Cement Limited, Vishnupuram (Wadapally) District Nalgonda in terminating Sri M. Appala Chary, Auto Electrician-cum-Wireman, Mines Department, with effect from 5-2-1983 is justified and he is not entitled for any relief.

Award passed accordingly.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 2nd day of June, 1986.

Sd/- Illegible,

INDUSTRIAL TRIBUNAL

#### Appendix of Evidence

Witnesses Examined for the Workmen:

W.W1 M. Appalachary

W.W2 A. Rangaiah

Witnesses Examined for the Management :

M.W1 V. Raja Rao

M.W2 D. Richard Paul.

#### Documents marked for the Workmen

Ex. W1—Paper Advertisement dt. 19-5-82 in Andhra Prabha given by Raasi Cement Limited, 1-10-125 Ashoknagar, Hyderabad for the post of Auto Electrician.

Ex. W2—Letter dt. 25-6-1982 addressed by Personnel Officer, Raasi Cement Limited to M. Appalachary with regard to Interview for the post of Auto Electrician.

Ex. W3—Appointment Order dt. 20-7-1982 issued to M. Appalachary by Works Manager, Raasi Cement Limited, Nalgonda.

Ex. W4—Service Agreement dt. 25-7-82 entered into between M. Appalachary and the Management of Raasi Cement Limited, Hyderabad.

Ex. W5—Warning letter dt. 6-1-83 issued to M. Appalachary by works Manager, Raasi Cement Limited, Vishnupuram, Nalgonda District (A.P.).

Ex. W6—Representation made by M. Appala Chary to the Works Manager, Raasi Cement, Vishnupuram in view of the Letter dt. 6-1-83 (Ex. W5)

Ex. W7—Termination Order dt. 1-2-83 issued to M. Appala Chary by Works Manager, Raasi Cement Limited, Vishnupuram, Nalgonda District, (A.P.).

Ex. W8—Representation made by M. Appala Chary to the Assistant Commissioner of Labour, Nalgonda with regard to illegal termination of his Service by the Management of Raasi Cement, Vishnupuram, Nalgonda District. (A.P.).

Ex. W9—Representation dt. 19-2-83 made by M. Appala Chary to the Central Assistant Commissioner of Labour, Himayatnagar, Hyderabad with regard to illegal termination of his services by the Management of Raasi Cement Factory, Vishnupuram, Nalgonda District. (A.P.).

Ex. W10—Letter dt. 28-2-83 addressed by General Secretary, Raasi Cement Factory Employees' & Central Labour Union, Wazeerabad (Vishnupuram) Tq. Mithyalaguda to the Assistant Labour Commissioner (C), Hyderabad with regard to termination of the services of M. Appala Chary.

Ex. W11—Representation made by A. Rangaiah General Secretary to the Assistant Labour Commissioner (C), Hydriguda Hyderabad with regard to harassment and victimisation of the workman and request for convening of Joint meeting.

Ex. W12—Letter No. 5/1/83, E3 dt. 5-3-83 addressed by Asst. Labour Commissioner (Central), Hyderabad, Hyderabad to A. Rangaiah Secretary Raasi Cement Factory Employees' and Central Labour Union, CITU Office, Manyam Chalaka, Nalgonda (AP) with regard to alleged illegal termination of services of M. Appala Chary.

Ex. W13—Letter No. L-29012/21/83-D. III (B), dt. 28-12-83 from the Desk Officer, Govt. of India, Ministry of Labour, New Delhi, to A. Rangaiah, General Secretary, Raasi Cement Factory Employees and Central Labour Union, CITU Office Manyam Chalaka Nalgonda with regard to alleged illegal termination of service of M. Appala Chary.

Ex. W14—Representation dt. 16-1-84 made by A. Rangaiah, General Secretary, to the Secretary, to Government of India, Ministry of Labour New Delhi with regard to alleged illegal termination of the services of M. Appala Chary.

Ex. W15—Photostat copy of the letter dt. 28-12-82 addressed by President and the General Secretary of Raasi Cement Factory Employees' & Contract Labour Union to the Managing Director, Raasi Cement Factory Limited, Vishnupuram with regard to intimation of office bearers.

Ex. W16—Acknowledgement from the Managing Director Raasi Cement Limited, Ashoknagar, Hyderabad.

Ex. W17—Copy of Naradavani Telugu Monthly paper.

## Documents marked for the Management :

- Ex. M1—True Copy of the Memo dt. 17-9-82 issued to M. Appalachary Auto Electrician by Mines Manager.
- Ex. M2—True copy of the letter No. 1483/Lab. I/83-2, dt. 30-5-83 addressed by Dy. Secretary to Government, L.E.N.T.E. (Lab. I) Department, Secretariat Buildings (AP), Hyderabad to M. Appala Chary, C/o Raasi Cement Factory Employees and Contract Labour Union, Wadapally, Nalgonda District with regard to rejection of reference for adjudication.
- Ex. M3—Photostat copy of the complained dt. 29-11-83 given by Kalidas to the Mines Manager, Raasi Cement Limited, Vishnupuram against M. Appala Chary.
- Ex. M4—Photostat copy of the complained dt. 4-1-83 given by S. Narasimhavatharam Foreman to the Mines Manager, Raasi Cement Limited, Vishnupuram against M. Appalachary.
- Ex. M5—Letter dt. 13-12-84 written by M. Appala Chary to the Manager with regard to payment of Monthly Pay and Bonus to him.
- Ex. M6—Cover written by M. Appala Chary under certificate of posting to the Works Manager Raasi Cement Limited, Vishnupuram.

J. VENUGOPALA RAO, Industrial Tribunal  
[No. L-29012/21/83-D. III (B)]

नई दिल्ली, 10 जुलाई, 1986

का.प्र. 2645—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार मैसर्स सिंगरेनी कोलरिज कम्पनी लिमिटेड, रामाकृष्णपुर डिवीजन-II, जिना विलाबाद (आन्ध्र प्रदेश) के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच प्रत्यक्ष में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट का प्रकाशित करता है, जो केन्द्रीय सरकार को 4 जुलाई, 1986 को प्राप्त हुआ था।

New Delhi, the 10th July, 1986

S.O. 2645.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s Singareni Collieries Company Limited, Ramakrishnapur Division-II, Adilabad, Distt., (A.P.) and their workmen, which was received by the Central Government on the 4th July, 1986.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)  
AT HYDERABAD.

Dated this the 25th day of June, 1986

Industrial Dispute No. 25 of 1985.

BETWEEN

The Workmen of  
M/s. Singareni Collieries  
Company Limited, Bellampalli,  
Adilabad District. (A.P.)

AND

The Management of  
M/s. Singareni Collieries  
Company Limited, Bellampalli,  
Adilabad District. (A.P.)

APPEARANCES :

Shri G. Bkshapathy, Advocate for the Workmen.  
Shri K. Srinivasa Murthy and Miss G. Sudha, Advocates,  
for the Management.

AWARD

Under Section 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India, Ministry of Labour, New Delhi, by reference No. L-22012(45)/84-D. III(B), dated 20-4-1985, referred an Industrial Dispute existing between the Workmen and the Management of M/s Singareni Collieries Company Limited, Bellampalli, Adilabad, Andhra Pradesh for adjudication with the following issues :—

ANNEXURE

"Whether the action of the Management of M/s. Singareni Collieries Company Limited, in relation to their Ramakrishnapur Division-II in terminating the services of Shri T. V. Sambashiva Rao, Clerk Grade-II from 17th November, 1983 is justified? If not, to what relief is the concerned workman entitled?"

Soon after the receipt of the reference, it was registered as I.D. No. 25 of 1985 in this Tribunal and notices were issued to the parties.

The workmen filed their claims statement on 14-6-1985 and the management filed its counter on 14-8-1985 and the dispute was posted for enquiry on 13-2-1986. The workmen examined W.W1 and got marked Exs. W1 to W13. It was adjourned to 17-3-1986 for cross examination of the W.W1. On 25-5-1986 W.W1 was recalled and cross examined. It was posted for further evidence on 21-5-1986. The W.W2 was examined in chief and Exs. W14 to W21 were marked. The dispute was posted for cross examination of the W.W2 From 13-6-1986, the dispute was adjourned to 7-7-1986 for cross examination of the W.W2.

On 25-6-1986 both parties filed M.P. Nos. 153 of 1980 and 154 of 1986 seeking advancement of the dispute. These petitions were allowed.

Joint memo filed by the counsel of the parties requesting to pass and Award in terms of the settlement dated 14-6-85 was allowed and the compromise filed by the parties was recorded. When both the parties had compromised the matter among themselves and out of the Court, this Tribunal is of the opinion that the terms of compromise entered into by them are fair and proper and in their own interest, and it is recorded. Hence and Award in terms of the compromise dated 14-6-1986 is passed and a copy of it is annexed to this Award.

Dictated to the Steno-typist, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of June, 1986.

Sd/- (illegible)  
Presiding Officer

Appendix of Evidence.

Witnesses Examined

for the Workmen :  
W.W1 D. Malla Reddy  
W.W2 T. V. Sambashiva Rao  
Witnesses Examined  
for the Management :

NIL

Documents marked for the Workmen :

- Ex. W1 Appointment Order dt. 11-12-1982 issued to T. V. Sambashiva Rao, by the Executive Director, S.C. Co. Ltd., Bellampalli
- Ex. W2 Office Order dt. 31-12-82 issued to T. V. Sambashiva Rao, by the Addl. C.M.E., R. K.P. II, S.C. Co. Ltd.
- Ex. W3 Standing Orders of the company.
- Ex. W4 True copy of the Promotion Orders dt. 5-5-83 issued to Embadi Papajah and Konda Chandralah by the Addl. C.M.E. R.K.P. I, S.C. Co. Ltd;
- Ex. W5 True Copy of the Appointment Orders dt. 24-5-83 issued to D. Komariah and 43 others by the Addl. C.M.E., R. K. P. I, S.C. Co. Ltd;

- Ex. W6 True copy of the promotion orders dt 19/21-9-83 issued to P. Durga Prasad and 4 others by the Executive Director, S.C. Co. Ltd., Bellanpalli.
- Ex. W7 True Copy of the letter dt. 25-7-1978 addressed to Addl. C.M.E., BPA by the General Manager, S.C. Co. Ltd., with regard to validity of incorporating six months probation in appointment orders in view of the Supreme Court decision in 1973 (2) LLJ 403.
- Ex. W8 Transfer Orders dt. 19-7-83 issued to T.V. Sambasiva Rao and M. Raghuveer by the Addl. C.M.E. R.K. P. II, S.C. Co. Ltd.,
- Ex. W9 Relieving Order dt. 20/21-7-83 issued to T. V. Sambasiva Rao by the Addl. C.M.E., R.K.P. II S. C. Co. Ltd;
- Ex. W10 Letter dt. 6-10-83 addressed to T. V. Sambasiva Rao by the General Manager, MM & RKP S.C. Co. Ltd., with regard to unsatisfactory work and advised him to improve his work, otherwise action would be taken as per the terms of appointment order.
- Ex. W11 Representation dt. 22-10-83 made by T. V. Sambasiva Rao to the General Manager, S. C. Co. Ltd., Mandamarri & Ramkrishnapur Area, Kalyan Khani, Adilabad District. (AP)
- Ex. 12 Representation dt. 6-11-83 made by President, SICCA Central Council to the General Manager, MM & RKP Area Kalyanikhani with regard to illegal harassment of T. V. Sambasiva Rao.
- Ex. W13 Letter dt. 17-11-73 addressed to T. V. Sambasiva Rao by the Executive Director, Bellampalli, S.C. Ltd., with regard to Settlement of accounts, if any and handover official registers, records, files etc to the Addl. C.M.E., R.K.P. II, S.C. Co. Ltd;
- Ex. W14 Weigh Particulars.
- Ex. W15 White Paper used for punching at the Weigh Bridge.
- Ex. W16 Road Despatch loading slip dt. 14-7-83.
- Ex. W17 Road Despatch loading slip dt. 14-7-83.
- Ex. W18 Memo dt. 15-7-83 issued to T. V. Sambasiva Rao by the Addl. C.M.E., R.K.P. II, S.C. Co. Ltd;
- Ex. W19 Explanation dt. 22-7-1983 given by T. V. Sambasiva Rao to the Addl. Chief Mining Engineer, Ramakrishnapur Division-II, S.C. Co. Ltd.,
- Ex. W20 Photostat copy of the Representation dt. 29-11-83 made by S. Sanjeeva Rao, M.L.A., Chinnur constituency Adilabad District to the Chairman & Managing Director, S.C. Co. Ltd., Hyderabad.
- Ex. W21 Photostat copy of the remarks dt. 16-6-84 submitted by Chairman & Managing Director, S.C. Co. Ltd., to S. Sanjeeva Rao, M.L.A. in view of Ex. W20. Documents marked for the Management :

NIL

ANNEXURE : Compromise of the Parties.

J. VENUGOPALA RAO, Presiding Officer  
[No. L-22012/45/84-D. III(B)]  
V. K. SHARMA, Desk Officer

MEMORANDUM OF SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF THE SINGARENI COLLIERIES CO. LTD. RKP & SRP (PROJECTS) AND SHRI T. V. SAMBASIVA RAO, EX-CLERK WORKMAN, REPRESENTED BY SINGARENI COLLIERIES CLERICAL ASSOCIATION, IN I. D. NO. 25 OF 1985 PENDING BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL), HYDERABAD, WITH REGARD TO THE TERMINATION OF SERVICES OF SHRI T. V. SAMBASIVA RAO, ON 14-6-1986 AT KOTHAGUDEM.

-528 Gl/86-6-

## PRESENT

Representing Management :  
The S. C. Co. Ltd.

1. Sri P. T. Thomas,  
Chief Personnel Officer,
2. Sri R. Sudheer, Dy. P.M.  
RKP & SRP (Projects).

Representing Workman :

Singareni Collieries  
Clerical Association :

1. Sri D. Malla Reddy,  
President, Singareni Collieries  
Clerical Association.
2. Sri V. S. V. S. R. K. S. Prasad,  
Secretary, SC Clerical Association,  
Ramakrishnapur.
3. Sri S. Narayana, Secretary,  
S.C. Clerical Association,  
Kothagudem.

4. Sri T. V. Sambasiva Rao,  
Workman concerned.

## SHORT RECITAL OF THE CASE.

Shri T. V. Sambasiva Rao was appointed as Clerk, Gr. II with effect from 13-12-1982 to work at Ramakrishnapur Area. As his work was found unsatisfactory, his services were terminated with effect from 17-11-1983 in terms of his appointment order. A dispute was raised, on his behalf, by Singareni Collieries Clerical Association and thereupon conciliation proceedings were held which ended in failure. Ultimately, the dispute was referred to the Industrial Tribunal (Central), Hyderabad, by the Govt. of India, and it was registered as I. D. No. 25/85. Following is the Schedule of reference :—

## SCHEDULE

"Whether the action of the management of M/s. Singareni Collieries Company Ltd. in relation to their Ramakrishnapur Division-II in terminating the services of Sri T. V. Sambasiva Rao, Clerk, Gr. II from 17th November, 1983 is justified?" If not to what relief is the concerned workman entitled?

The case is pending before the Tribunal for enquiry. Meanwhile, both the management and S. C. Clerical Association discussed this issue mutually to reach an amicable settlement. After prolonged discussions, both the parties agreed to settle the dispute as follows :

## TERMS OF SETTLEMENT

1. The Management agrees to reinstate Shri T. V. Sambasiva Rao, as Clerk Grade-II with effect from 1-7-1986 in the Grade of Rs. 678-30-418-35-1198 without back wages, subject to being found medically fit.
2. It is further agreed to treat the period of his absence from the date of his termination, i.e., 17-11-1983 to the date of his reinstatement, i.e., 1-7-1986 as leave on loss of pay.
3. The above said period of absence, which is treated as on loss of pay, will be reckoned both for the purpose of gratuity and for placement in Grade-I as per Cadre Scheme in force from time to time.
4. It is also agreed to allow him annual increments notionally and his basic pay will be revised accordingly from the date of his appointment. His future increments will depend upon earning satisfactory reports about his work, attendance and conduct.
5. The Union agrees not to raise any further dispute on this issue and the dispute stands wholly and finally settled.
6. Both the parties agree to file this Settlement before the Industrial Tribunal (C), Hyderabad, with a prayer for passing an award in terms of the said settlement.

- Representing Management. Representing Workman and Workman concerned.
1. Shri P. T. Thomas, Chief Personnel Officer.
  2. Sri R. Sudheer, Dy. P.M., RKP & SRP (Projects).
  3. Sri S. Narayana, Secretary, S.C. Clerical Association, Kothagudem.
  4. Sri T. V. Sambasiva Rao, Workman concerned.

## Witnesses :

1. Sri V. Ramachandra Rao, Dy. P.M., Kothagudem.
2. Sri T. Satyanarana Rao, Pst Office Assistant, Personnel Department, Kothagudem.

Kothagudem,  
Date : 14-6-1986.

नई दिल्ली, 8 जुलाई, 1986

## आदेश

का. भा. 2646—भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. भा. 1780, तारीख 19 जून, 1963 द्वारा गठित श्रम न्यायालय के पीठासीन अधिकारी के कार्यालय में, जिसका मुख्यालय जयपुर में है, एक पद रिक्त हुआ है।

अतः, धन भौगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 3 के उपबंधों के अनुसरण में केन्द्रीय सरकार श्री पी. सी. जैन, को उक्त श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[संख्या - एस-11020/3/81-डी - I (ए)]

शशि भूषण, सचिव

New Delhi, the 8th July, 1986

## ORDER

S.O. 2646.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court with headquarters at Jaipur constituted by the notification of the Government of India in the Ministry of Labour, S.O. No. 1780 dated the 19th June, 1963;

Now, therefore, in pursuance of the provisions of Section 3 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P.C. Jain as the Presiding Officer of the Labour Court constituted as aforesaid.

[No. S-11020/3/81-D. I(A)]  
SHASHI BHUSHAN, Under Secy.

नई दिल्ली, 9 जुलाई, 1986

का. भा. 2647.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारत कोकिंग कोल

लि. की भागाबांध कोलियरी के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच मतभेद में निर्विवाद औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2 धनाबांध के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-1986 को प्राप्त हुआ था।

New Delhi, the 9th July, 1986.

S.O.2647.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Bhagaband Colliery of M/s. Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 2nd July, 1986.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO.2) AT DHANBAD.  
Reference No. 73 of 1985

In the matter of industrial disputes under Section 10(1)(d) of I.D. Act, 1947.

## PARTIES :

Employers in relation to the management of  
Bhagaband Colliery of Messrs. Bharat Coking Coal Limited and their workmen.

## APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workmen—Shri B.N. Sharma,  
Joint General Secretary, Janta Mazdoor Sangh.

STATE :Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 23rd June, 1986.

## AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 (60)85-D. III (A), dated, the 29th May, 1985.

## SCHEDULE

"Whether the demand of the Janta Mazdoor Sangh that S/Smt. Lakhiya Bhuini, Chapala Bourin, Meena Bhuyini and Maya Dusadin, female workers, should be taken in employment as Badli Loaders in Bhagaband Colliery according to the B.C.C.L. Circular dated 4-8-1980 is justified? If not, to what relief are the female workers concerned entitled?"

The case of the workmen is that concerned 4 female workmen were employed by the management of Bhagaband Colliery of M/s. B.C.C.L. as wagon loaders. The job performance of these wagon loaders were to load coal in the wagons which were placed in the siding of the colliery. They were originally employed as a delisted casual loaders since before the nationalisation of the Coal Mines and they also continued

working as such after the nationalisation of the Coal Mines under the services of M/s. B.C.C. Ltd. They had continued working till the year 1976 when at the close of 1976 their services were orally terminated by the management. The general manager (P) vide circular dated 4-8-1980 fixed a criteria for employment as badli loaders amongst such of the delisted wagon loaders who had put in 75 days or more attendance during the period 1973, 1974, 1975 and 1976. According to the said circular all the concerned female workmen became eligible to be employed as badli loaders and in course of employment they would have become permanent wagon loaders but they were singled out and deprived from their rightful claim by making discrimination in their case. The concerned female workers had more than 75 days of attendance and as such they were entitled to the benefit of the circular dated 4-8-1980. Some other female wagon loaders were taken in employment in accordance with the said circular and they were subsequently made permanent. S/Shri Hari Singh and 35 other were also working as a delisted wagon loaders along with the concerned female workers who were taken in employment during the year 1978-79 in permanent post. But only the female concerned workers were deprived of the said privilege. Bodhani Mallik and 6 others female wagon loaders were also working along with the concerned female workers who were subsequently employed and became permanent. The management made a discrimination in the case of the concerned female workers due to some corrupt practices of the officers of M/s. B.C.C. Ltd. The dispute was taken up by the union of the concerned female workers before the ALC(C), Dhanbad. The conciliation before him failed and thereafter the Government referred the present reference for adjudication. On the above plea, it has been submitted on behalf of the concerned female workers that they should be taken as badli wagon loaders with effect from 1978 and should be made permanent as in case of 7 other female workers, (Bodhani Mallik and 6 others) with full back wages and continuity of service.

The case of the management is that the union of the workmen have not understood the meaning of the circular dated 4-8-80. The circular is meant for engagement of delisted casual wagon loaders as Badli miners| loaders on the production job of coal. The female workers being unsuitable for engagement as Miner|loader are excluded from the provision of the circular. The demand of the union is without any merit. The demand of the union for employment of the concerned female workers as Badli Miners|Loaders who are face workers in connection with production of coal is absurd. No female worker can be employed inside the coal mines as miners|loaders are deployed inside the mines to load coal obtained with the aid of explosive by means of solid blasting. The female workers are strictly prohibited inside the mine under the provision of the Mines Act, 1952. During the period of private management, the wagon used to be loaded by permanent|casual wagon loaders and in case of necessity the workmen of other categories were also directed to load wagon on a particular date. The engagement of casual wagon loaders was only on the days when more than normal supply of wagons were placed in the siding. On a few days a large number of wagons used to be supplied and workmen belonging to other categories used to be directed to add to the strength of permanent and casual loa-

ders. In some collieries contract labour were employed instead of casual workmen and other categories. After nationalisation of the Coal Mines the contract system of wagon loading were abolished. The workmen of the other categories refused to load wagon at the time of necessity. In order to solve the problem the management were permitted to engage any workmen as delisted casual wagon loader for particular days according to the need of situation. Thus a group of workmen known as delisted wagon loader came into existence in coal industry after nationalisation of the Coal Mines. After nationalisation small mines were amalgamated into bigger units and thereafter the problem of wagon loading was solved. The casual wagon loader were made permanent after they had put 240 days of attendance in a calendar year. With the regularity of supply of wagons there was no necessity to engage any delisted casual wagon loaders and the practice of employing any workmen as delisted casual wagon loader was discontinued. A Casual wagon loader or a delisted casual wagon loader had no right to claim for job on all days or on any particular date. The employment of the delisted casual wagon loader was purely at the discretion of the management. The management issued a circular dated 4-8-80 empowering the local management to select some workmen out of delisted casual wagon loaders having 75 days attendance to work as badli miner|loaders and to engage them during leave and sick vacancies of permanent miner|loaders on production job of minning coal. According to the said circular the female wagon loaders were unsuitable to be employed as badli miner|loader. It was for this reason that the delisted casual female wagon loaders did not claim for their employment as badli miners|loaders. The circular dated 4-8-80 was issued to tide over the temporary difficulties of absenteeism prevalent at that time in the job of miners| loaders. With introduction of strict discipline the absenteeism was controlled to a large extent and further circular was issued permitting local management to keep further delisted casual wagon loaders as badli miners|loaders. On the above plea it is submitted that the demand of the union is not reasonable and justified.

The only point to be decided in this case is whether the concerned four female workmen are entitled to be employed as badli loaders according to the BCCL circular dated 4-8-80.

The workmen have examined two witnesses and the management have examined one witness. The workmen have further produced documents which have been marked Ext.W-1 to W-3. Two documents have been marked on behalf of the management.

The facts of the case are almost admitted. It is admitted that the concerned female workmen had worked as delisted casual wagon loaders till 1976 and that they had each attendance of more than 100 days during the year 1973 to 1976. It will appear from the schedule of the order of reference that the basis of the claim of the concerned female workers is circular dated 4-8-80. It has been submitted on behalf of the workmen that the concerned female workmen succeed or loose on the interpretation of the circular dated 4-8-80. Let us therefore look to the said circular dated 4-8-80. Which has been marked as Ext.M-1 being a document admitted by both the parties. It appears from Ext.M-1 that the management had a problem of absenteeism of the workmen in general and particularly in the category of

miners] loaders as a result of which production was suffering. It was to overcome this problem that steps were taken to ensure that production does not suffer on account of absenteeism of miners/loaders. The matter was discussed by the management with the members of the Central Trade Union organisation and a consensus was arrived at by which the management decided to deploy badli miner/loaders in place of permanent miner/loaders who were temporarily absent for some reason. The employment of badli miner/loaders was only for the duration till the availability of miners/loaders was not improved. The management was not to take the responsibility with regard to employment of badli miner/loaders on a regular basis and no claim could be made for their regular employment. In the said background it was decided by the management that they may take in their employment as badli miners/loader such of the delisted casual wagon loaders who had put in 75 days or more attendance during the period 1973 to 1976. On a reading of Ext.M-1 it appears therefore that only the male delisted wagon loaders completing 75 days of attendance were to be employed as badli miner/loader as in accordance with the provision of the Mines Act no female worker can be employed in the mines under ground. Thus the advantage of Ext.M-1 could not be given to the delisted casual female wagon loaders. The word loader in Ext.M-1 means Miner/loader and not wagon loaders working on the surface.

WW-2 Meena Bhuyini is one of the concerned female worker. She has stated that Budhan Mallik and 6 other were also working along with her as wagon loader and that all those 7 wagon loaders are still working but the concerned female worker were not given work by the management. She has also stated that the concerned female workmen had attendance of more than 75 days from the year 1973 to 1976 which of course is not disputed. She has stated that she did not see the papers of the persons who were working with her and were given employment and are still continuing to work. Thus, it has not come from her evidence the circumstances under which those seven female wagon loaders were taken in employment. MW-1 is clerk in the Personnel department of Bhagaband colliery. He has stated that the circular Ext.M-1 is in respect of Miner/loaders and in respect of male workers. He has stated that according to the settlement between the union and the management some female delisted wagon loaders were taken as listed casual wagon loaders. He has stated that vide Ext.M-2 dated 1-7-78 appointments were made in the casual wagon loaders out of the delisted casual wagon loaders. In cross-examination he has stated that in accordance with the circular only male wagon loaders were appointed who had completed 75 days of attendance but no female wagon loaders were appointed. It will appear from Ext. M-2 that a settlement was arrived at on 1-6-78 between the management of BCCL and Shri A. K. Roy, M.P., President of Bihar Colliery Kamgar Union and accordingly delisted casual wagon loaders of Bhagaband colliery who had put in at least 100 attendance in any two calendar years between 1973 to 1976 were freshly listed as casual wagon loaders. The freshly listed casual wagon loaders were available for working as piece rated wagon loaders on surface and in case of necessity male casual wagon loaders could be provided work by the management as piece rated underground

face loaders. They were to be provided work strictly in terms of company's necessity and not as a matter of their right for employment and no claim was to be made by them on the company at any time for providing them work for any stipulated number of days during the week. The list in Ext. M-2 includes 6 of the female workmen named in Ext. W-1 by the Joint General Secretary of Janta Mazdoor Sangh. Thus the female workmen named in Ext. W-1 were given employment on the basis of settlement between the BCCL and the management on 1-7-78 which was prior to the date of the circular Ext. M-1. In Ext. M-2 the Agent of Bhagaband Colliery had explained to the ALC(C), Dhanbad in the conciliation proceeding regarding the employment of some female workers in 1978.

In view of the discussion made above I do not find how the circular Ext. M-1 dated 4-8-80 can be used in support of the claim of the concerned female workmen. The said circular in its import was only in respect of the male delisted wagon loaders who could be employed as badli miner/loader in the Mine and the concerned female workmen cannot take advantage of the said circular as employment of female in the mines underground is prohibited under the Mines Act. Thus the circular cannot be used in aid of the claim of the concerned 4 female workmen.

In the result, I hold that the demand of the Janta Mazdoor Sangh that S/Smt. Lakhiya Bhuyini, Chapala Bourin, Meena Bhuyini and Maya Dusadin, female workers, should be taken in employment as Badli Loaders in Bhagaband colliery according to the BCCL circular dated 4-8-1980 is not justified and consequently they are entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer  
[No. L-20012/60/85-D. III (A)]  
A. V. S. SARMA, Desk Officer

Dated 23-6-86

नई दिल्ली, 9 जुलाई, 1986

का. प्रा. 2648:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, यूनियन बैंक ऑफ इंडिया के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-86 को प्राप्त हुआ था।

New Delhi, the 9th July, 86

S.O. 2648.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the Union Bank of India and their workmen, which was received by the Central Government on the 4th July, 1986.

BEFORE SHRI G.S. KALRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI  
I.D.No. 24/85.

In the matter of dispute between :  
Shri Rajan Saxena, 295, Noli Gali,  
Gopal Pura, Mathura 281001.

Versus

The Assistant General Manager,  
Union Bank of India,  
26-28 D, Connaught Place, New Delhi.

APPEARANCES :

None for the workmen.

Shri S.L. Verma the Management.

AWARD

The Central Government in the Ministry of Labour vide notification No. L-120-12/273/84-D. II(A) dated 19 June, 1985 referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Union Bank of India, New Delhi Zone in dismissing Shri Rajan Saxena Clerk/Cashier Mathura Branch from the services of the Bank in November, 1982 is justified? If not, to what relief is the workmen concerned entitled?"

2. Notices of the reference were sent to the parties the workmen had put in appearance on 28-4-86 and 26-5-86 and also on 16-6-86 his father was present. However he is not present today nor anybody is present on his behalf. Therefore, it appears that the workman is not interested in pursuing this dispute. Hence this reference is disposed of for non-prosecution and no dispute award is given.

Further ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

G. S. KALRA, Presiding Officer  
June 30, 1980.

[No. L-12012/273/84-D. II(A)]  
N. K. VERMA, Desk Officer

नई दिल्ली, 10 जुलाई, 1986

का. भा. 2649 :—भूनापत्थर और डोलोमाइट खान श्रम कल्याण निधि नियम, 1973 के नियम 3 के उप-नियम (2) के साथ पठित भूनापत्थर और डोलोमाइट खान श्रम कल्याण निधि अधिनियम, 1972 (1972 का 62) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उड़ीसा राज्य के लिए निम्नलिखित सदस्यों की एक सलाहकार समिति गठित करती है, अर्थात् :—

- |  |  |
|--|--|
| 1. मंत्री, श्रम और रोजगार,<br>उड़ीसा सरकार, भुवनेश्वर  | अध्यक्ष  |
| 2. कल्याण प्रायुक्त,<br>श्रम कल्याण संगठन, प्लॉट नं. 33,<br>अशोक नगर, भुवनेश्वर  | उपाध्यक्ष (पदेन)                                     |
| 3. प्रादेशिक श्रम प्रायुक्त (केन्द्रीय),<br>भुवनेश्वर  | केन्द्रीय सरकार का प्रति-<br>निधित्व करने वाला सदस्य |
| 4. श्री रेमिस करकेटा,<br>विधान सभा सदस्य   | विधान सभा सदस्य,<br>उड़ीसा                           |
| 5. श्री भार. सी. मोहन्ती,<br>उप महाप्रबंधक (एम एंड जी)<br>राऊरकेला स्टील प्लांट,<br>राऊरकेला उड़ीसा                    | नियोजकों के प्रतिनिधि                                |
| 6. श्री टी. पट्टमायक,<br>सहायक संपर्क प्रबंधक,<br>उड़ीसा सीमेन्ट प्लांट लि.<br>राजनगर, उड़ीसा                          | नियोजकों के प्रतिनिधि                                |
| 7. श्री के. एम. पाठक,<br>मार्फत मैसर्स बिलरा लाइमस्टोन<br>कम्पनी, धीरमिलापुर, उड़ीसा                                   | कर्मचारियों के प्रतिनिधि                             |
| 8. श्री बी. एस. पती,<br>जनरल सेक्रेटरी,<br>नाथ उड़ीसा वर्कर्स यूनियन,<br>राऊरकेला-12, उड़ीसा                           | —व्योक्त—  |
| 9. श्रीमती लोपमुद्रा मोहन्ती,<br>मार्फत डाक्टर रामोदर मोहन्ती,<br>चिकित्सा अधिकारी,<br>हस्पताल जनरल हास्पिटल, राऊरकेला | महिला प्रतिनिधि                                      |
| 10. कल्याण प्रायुक्त,<br>भुवनेश्वर   | सचिव   |

2. उक्त सलाहकार समिति का मुख्यालय भुवनेश्वर में होगा।  
[पू. -19012/8/84-कल्याण-2 (सी)]

New Delhi, the 10th July 1986

S.O.2649.—In exercise of the powers conferred by section 6 of the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 (62 of 1972), read with sub-rule (2) of rule 3 of the Limestone and Dolomite Mines labour Welfare Fund Rules, 1973, the Central Government hereby constitutes an Advisory Committee for the State of Orissa consisting of the following members, namely:—

1. Minister, Labour and Employment,  
Government of Orissa, Bhubaneswar.
2. Welfare Commissioner,  
Labour Welfare Organisation  
Plot No. 33, Ashok Nagar,  
Bhubaneswar.

Chairman

Vice-Chairman  
(ex-officio)

- |  |  |
|--|--|
| 3. Regional Labour Commissioner<br>(Central) Bhubaneswar.  | Member representing<br>Central Government. |
| 4. Shri Remis Kerketta,<br>M.L.A.  | Member of Legislative<br>Assembly, Orissa. |
| 5. Shri R.C. Mohanty,<br>Deputy General Manager (M & G),<br>Rourkela Steel Plant,<br>Rourkela, Orissa.           | Employees' representatives                 |
| 6. Shri T. Patnaik,<br>Assistant Liaison Manager,<br>Orissa Cement Ltd.,<br>Rajgangpur, Orissa.                  |  |
| 7. Sh. K.N. Pathak,<br>C/o M/S. Bisra Limestone Company<br>Biramitrapur, Orissa.                                 |  |
| 8. Shri B.S. Pati,<br>General Secretary,<br>North Orissa Workers Union,<br>Rourkela-12, Orissa.                  |  |
| 9. Mrs. Lopamudra Mohanty,<br>C/o Dr. Damodar Mohanty,<br>Medical Officer, Ispat General,<br>Hospital, Rourkela. | Women representative                       |
| 10. Welfare Administrator,<br>Bhubaneswar.   | Secretary                                  |

2. The headquarter of the said Advisory Committee shall be at Bhubaneswar.

[No. U-19012/6/84-W. II (C)]

का. प्रा. 2650.—चूनापत्थर और डोलोमाइट खान श्रमिक कल्याण निधि नियम, 1973, के नियम 3 के उप-नियम (1) के साथ पठित चूनापत्थर और डोलोमाइट खान श्रमिक कल्याण निधि अधिनियम, 1972 (1972 का 62) की धारा 7 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत के राजपत्र, भाग 2, खंड 3, उप खण्ड (ii) में दिनांक 25-1-1986 को पृष्ठ 299 से 301 पर प्रकाशित भारत सरकार के श्रम मंत्रालय की दिनांक 15 जनवरी, 1986 की अधिसूचना संख्या का. प्रा. 262 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में क्रम संख्या 14 के सामने की प्रविष्टियों के स्थान पर, निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

14 श्री रॉबिन दत्ता,  
प्रेसीडेंट  
सीमेन्ट एंड खदान कर्मचारी यूनियन,  
क्वार्टर नं. 7, "भार" स्ट्रीट नं. 34,  
सेक्टर-7, भिलाई नगर, जिला दुर्ग,  
मध्य प्रदेश

S.O. 2650.—In exercise of the powers conferred by Section 7 of the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 (62 of 1972) read with sub-rule (1) of the rule 3 of the Limestone and Dolomite Mines Labour Welfare Fund Rules, 1973, the Central Government hereby makes the following amendment in notification of the Government of India in the Ministry of Labour S.O. No. 262 dated 15th Jan., 1986 published at pages 299 to 301 of the Gazette of India, Part II Section 3 Sub-section (ii) dated 25-1-86, namely :—

In the said notification for entry against serial No. 14, the following shall be substituted, namely :—

14. Shri Robin Dutta,  
President,  
Cement & Khadan Karamchri Union,  
Qr. No. 7, 'R' Street No. 34,  
Sector 7, Bhilai Nagar,  
Distt. Durg (M.P.)

[ग. -23011/2/84-कल्याण-2]

[No. U-23011/2/84-W-II]



का. प्रा. 2651 :—बीड़ी कर्मकार कल्याण निधि नियम, 1978 के नियम 3 के उप-नियम 2 के साथ पठित बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार तारीख 13 अप्रैल, 1985 के भारत के राजपत्र, भाग II, खंड 3 (ii) के पृष्ठ 1948 पर प्रकाशित भारत सरकार, घम भंडालय की तारीख 30 मार्च, 1985 की अधिसूचना संख्या का. प्रा. 1618 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में क्रमांक 8 पर की गई प्रविष्टि के स्थान पर निम्न-लिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात् :—

8. श्री शारदा प्रसाद पटनायक,  
प्रेसीमेंट, त्रिनाथ बीड़ी श्रमिक संघ,  
मुकाम ब डाकघर तिकिरिया,  
जिला कटक, उड़ीसा।

[संख्या यू.-19012/3/84-ब्यू०-II]

एम. एस. भल्ला, अवर सचिव

S.O. 2651.—In exercise of the powers conferred by section 5 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976) read with sub-rule 2 of rule 3 of the Beedi Workers Welfare Fund Rules, 1978, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. No. 1618 dated the 30th March, 1985 published at pages 1948 of the Gazette of India, Part II Section 3(ii) dated 13th April, 1985, namely :—

In the said notification for entry against serial No. 8 the following shall be substituted, namely :—

8. Shri Sarada Prasad Patnaik,  
President of Trinath Beedi Sramik Sangha,  
At/P.O. Tigriria,  
District Cuttack, Orissa.

[No. U-19012/3/84-W.II]  
S. S. BHALLA, Under Secy.

